



भारत का राजपत्र The Gazette of India

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No. 48] NEW DELHI, NOVEMBER 27—DECEMBER 3, 2022, SATURDAY/AGRAHAYANA 6—AGRAHAYANA 12, 1944

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पृथक संकलन के रूप में रखा जा सके
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(Other than the Ministry of Defence)

वित्त मंत्रालय
(वित्तीय सेवाएं विभाग)

नई दिल्ली, 25 नवम्बर, 2022

का.आ. 1216.—विशेष न्यायालय (प्रतिभूति संव्यवहार अपराध विचारण) अधिनियम, 1992 की धारा 3 उप धारा (i) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा, श्रीमती अनिता रूपावतारम, आईआरएस (आईटी: 2003) को वित्तीय सेवाएं विभाग के अधीन (गैर-सीएसएस पद), अभिरक्षक का कार्यालय, मुंबई में दिनांक 7.11.2022 से लेटरल शिफ्ट के आधार पर 3 वर्ष की अवधि के लिए या इस पद के जारी रहने तक, जो वर्तमान में दिनांक 28.2.2023 तक है या दिनांक 24.10.2023 तक (अर्थात् निदेशक के स्तर पर 5 वर्ष के कार्यकाल में शेष कार्यावधि तक) या अगले आदेशों तक, जो भी पहले हो, पे मैट्रिक्स स्तर-13 में निदेशक के पद पर नियुक्त करती है।

[फा. सं 23/5/2022-आईएफ-1]

कार्तिकेय मिश्रा, उप सचिव

MINISTRY OF FINANCE**(Department of Financial Services)**

New Delhi, the 25th November, 2022

S.O. 1216.—In exercise of the powers conferred by sub-section (i) of Section 3 of the Special Court (Trial of Offences Relating to Transactions in Securities) Act, 1992, the Central Government hereby appoints Smt. Anita Rupavataram, IRS (IT:2003) as Director in the Pay Matrix level-13 with effect from 7.11.2022 (AN) in the Office of the Custodian, Mumbai under the Department of Financial Services (a non-CSS post) on lateral shift basis for a period of 3 years or till the continuation of this post which at present is up to 28.2.2023 or up to 24.10.2023 (i.e. balance tenure of 5 years at Director level) or until further orders, whichever is earlier.

[F. No. 23/5/2022-IF-I]

KARTIKEYA MISRA, Dy. Secy.

विदेश मंत्रालय**(सी.पी.वी. प्रभाग)**

नई दिल्ली, 30 नवम्बर, 2022

का.आ. 1217.—राजनयिक और कौंसुलीय अधिकारी (शपथ एवं फीस) के अधिनियम, 1948 की धारा 2 के खंड(क) के अनुसरण में वैधानिक आदेश।

एतद्वारा, केंद्र सरकार भारत के प्रधान कौंसलावास, हो ची मिंन शहर में पंकज कुमार, वैक्तिक सहायक और तुषार गर्ग, सहायक अनुभाग अधिकारी को दिनांक 30 नवंबर, 2022 से सहायक कौंसुलर अधिकारी के तौर पर कौंसुलर सेवाओं के निर्वहन के लिए प्राधिकृत करती है।

[फा. सं. T.4330/01/2022(54)]

एस.आर.एच. फहमी, उप सचिव (कांसुलर)

MINISTRY OF EXTERNAL AFFAIRS**(CPV Division)**

New Delhi, the 30th November, 2022

S.O. 1217.—Statutory Order in pursuance of the clause (a) of the Section 2 of the Diplomatic and Consular Officers (Oaths and fees) Act, 1948 (41 of 1048), the Central Government hereby appoints Shri Pankaj Kumar, Personal Assistant and Shri Tushar Garg, Assistant Section Officer as Assistant Consular Officers in the Consulate General of India, Ho Chi Minh City to perform the Consular services with effect from November 30, 2022.

[F. No. T.4330/01/2022(54)]

S.R.H FAHMI, Dy. Secy. (Consular)

नई दिल्ली, 30 नवम्बर, 2022

का.आ. 1218.— राजनयिक और कौंसुलीय अधिकारी (शपथ एवं फीस) के अधिनियम, 1948 की धारा 2 के खंड (क) के अनुसरण में वैधानिक आदेश।

एतद्वारा, केंद्र सरकार भारतीय उच्चायोग, लंदन में विपिन, सहायक अनुभाग अधिकारी, को 30 नवंबर, 2022 से सहायक कांसुलर अधिकारी के रूप में कांसुलर सेवाओं का निर्वहन करने के लिए अधिकृत करती है।

[फा. सं. टी.4330/01/2022(55)]

एस.आर.एच. फहमी, उप सचिव (कांसुलर)

New Delhi, the 30th November, 2022

S.O. 1218.—Statutory Order in pursuance of clause (a) of the Section 2 of the Diplomatic and Consular Officers (Oaths and fees) Act, 1948 (41 of 1048), the Central Government hereby appoints Shri Vipin, Assistant Section Officer in the High Commission of India, London as Assistant Consular Officer to perform Consular services with effect from November 30, 2022.

[F. No. T.4330/01/2022(55)]

S.R.H. FAHMI, Dy. Secy. (Consular)

नई दिल्ली, 30 नवम्बर, 2022

का.आ. 1219.—राजनयिक और कौंसुलीय अधिकारी (शपथ एवं फीस) के अधिनियम, 1948 की धारा 2 के खंड (क) के अनुसरण में वैधानिक आदेश।

एतद्वारा, केंद्र सरकार भारत के सहायक उच्चायोग, चटगाँव में श्री दीप रंजन घोष, सहायक अनुभाग अधिकारी को दिनांक 30 नवंबर 2022 से सहायक कौंसुलर अधिकारी के तौर पर कौंसुलर सेवाओं के निर्वहन के लिए प्राधिकृत करती है।

[फा. सं. टी. 4330/01/2022(56)]

एस.आर.एच. फहमी, उप सचिव (कांसुलर)

New Delhi, the 30th November, 2022

S.O. 1219.—Statutory Order in pursuance of the clause (a) of the Section 2 of the Diplomatic and Consular Officers (Oaths and fees) Act, 1948 (41 of 1048), the Central Government hereby appoints Shri Deep Ranjan Ghose, Assistant Section Officer as Assistant Consular Officer in the Assistant High Commission of India, Chittagong to perform the consular services with effect from November 30, 2022.

[F. No. T.4330/01/2022(56)]

S.R.H. FAHMI Dy. Secy. (Consular)

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 25 नवम्बर, 2022

का.आ. 1220.—केन्द्रीय सरकार को, ऐसा प्रतीत होता है कि लोकहित में यह आवश्यक है कि मध्यप्रदेश एवं उत्तरप्रदेश राज्य में पेट्रोलियम पदार्थों के परिवहन के लिए बीना पनकी-(कानपुर पाइपलाइन परियोजना के क्रियान्वयन हेतु भारत पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाई जाना आवश्यक है।

केन्द्रीय सरकार को ऐसी पाइपलाइन बिछाने के प्रयोजन के लिये यह आवश्यक प्रतीत होता है, कि ऐसी भूमि में जो इस से उपाबद्ध अनुसूची में वर्णित है, और जिसमें उक्त पाइपलाइन बिछाई जाने का प्रस्ताव है, उपयोग के अधिकार का अर्जन किया जाए।

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा(1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उस भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है।

कोई व्यक्ति जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से, जिसको इस अधिसूचना में युक्त भारत के राजपत्र की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती है, इक्किस (21) दिन के भीतर, भूमि के नीचे पाइपलाइन बिछाए जाने के लिए उसमें उपयोग के अधिकार के सम्बन्ध में श्री सोहन लाल डिण्टी कलेक्टर, कानपुर(उ०प्र०) सक्षम प्राधिकारी, भारत

पेट्रोलियम कॉर्पोरेशन लिमिटेड बीना-पनकी(कानपुर) पाइपलाइन परियोजना, बीपीसीएल एन० एच०.02, कालपी रोड, कानपुर पी० ओ० एल० डिपो भौती कानपुर 209305 ; उत्तर प्रदेश को लिखित रूप से आक्षेप भेज सकेगा।

अनुसूची

गाँव का नाम	सर्वे न./गाटा न.	क्षेत्रफल		
		हेक्टेयर	एयर	वर्गमीटर
(1)	(2)	(3)	(4)	(5)
लवरसी	24	00	08	59
	21	00	08	89

[फा. सं. आर-11025(15)/3/2019/-ओआर-1/ई-29921]

पी. सोमाकुमार, अवर सचिव

MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 25th November, 2022

S.O. 1220.—Whereas, it appears to the Central Government, that it is necessary in the public interest that for the transportation of the Petroleum Product in the state of Madhya Pradesh and Uttar Pradesh Pipeline should be laid for implementing of Bina-Panki (Kanpur) Pipeline Project by the Bharat Petroleum Corporation Limited.

And whereas, it appears to the Central Government that for the purpose of laying the said pipeline, It is necessary to acquire the right of user (ROU) in the land under which the said pipeline is proposed to be laid, and which is described in the Schedule annexed to this notification.

Now therefore, in exercise of the powers conferred by Sub-section (1) of Section 3 of the petroleum and Minerals Pipeline (Acquisition of Right of user in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user there in.

Any person who is interested in the land described in the said schedule, may submit objection in writing to Shri Sohan Lal Dy. Collector/ Competent Authority, Bharat Petroleum Corporation Limited. Bina-Panki (Kanpur) Pipeline Project, N.H. 2, Kalpi Road, Kanpur POL Depot, Bhauti, Kanpur, (U.P.) 209305 (Uttar Pradesh) within twenty one (21) days from the date on which the copies of this notification Issued under Sub-section (1) of section 3 of the said Act, as published in the Gazette of India, are made available to the general public.

SCHEDULE

Tehsil : Bhognipur		District : Kanpur Dehat		State : Uttar Pradesh	
Name of Village	Survey No.	Area			
		Hectare	Are	Sqm.	
(1)	(2)	(3)	(4)	(5)	
Lawarsi	24	00	08	59	
	21	00	08	89	

[F. No. R-11025(15)/3/2019-OR-1/E-29921]

P. SOMAKUMAR, Under Secy.

नई दिल्ली, 25 नवम्बर, 2022

का.आ. 1221.—केन्द्रीय सरकार, साधारण खण्ड अधिनियम 1897 की धारा 21 के सपटित पेट्रोलियम और खनिज पाइपलाइन्स (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार के राजपत्र भाग II, खण्ड 3, उप-खण्ड (ii) में क्रमांक 1311 पर दिनांक 14 मई 2020 को प्रकाशित; भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय, नई दिल्ली

की अधिसूचना, कार्यालय आदेश क्रमांक **1465 (अ)** दिनांक **28.04.2020** तहसील भोगनीपुर जिला कानपुर देहात (उत्तर प्रदेश) में अंकित उक्त खसरा संख्याओं में विनिर्दिष्ट उक्त क्षेत्रफल की प्रविष्टियों को एतद् द्वारा विलोपित (Delete) किया जाता है।

अनुसूची

तहसील—भोगनीपुर		जिला—कानपुर देहात				राज्य—उत्तरप्रदेश		
गाँव का नाम	क्षेत्रफल 6 (1)				विलोपित खसरा व रकबा			
	सर्वे नं. / गाटा नं.	हेक्टेयर	एयर	वर्गमीटर	सर्वे नं. / गाटा नं.	हेक्टेयर	एयर	वर्गमीटर
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
लवरसी	22	00	15	20	22	00	08	59
	7	00	08	50	7	00	00	82
	6	00	08	00	6	00	08	00
	5	00	08	00	5	00	08	00

[फा. सं. आर-11025(15)/3/2019/-ओआर-I/ई-29921]

पी. सोमाकुमार, अवर सचिव

New Delhi, the 25th November, 2022

S.O. 1221.—In exercise of the power conferred by section 6 of the Petroleum and Minerals Pipelines (Acquisition of Right of user in Land) Act 1962 (50 of 1962) read with Section 21 of General Clauses Act 1897, the Central Government hereby deletes the indicated area of the Khasra or Survey No. from the schedules of notifications of Ministry of Petroleum and Natural Gas Government of India Vide S.O. Number **1465 (E)** dated **28.04.2020** for Tehsil Bhognipur, District Kanpur Dehat (Uttar Pradesh) earlier published in the Gazette Government of India Part II, Section 3, Sub Section (ii), number 1311, dated 14th May, 2020.

SCHEDULE

Tehsil: Bhognipur		District: Kanpur			DehatState: UttarPradesh			
Name of Village	Area 6 (1)				De Notify Area			
	Survey No./Gata No.	Hectare	Are	Sqm.	Survey No./Gata No.	Hectare	Are	Sqm.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Lawarsi	22	00	15	20	22	00	08	59
	7	00	08	50	7	00	00	82
	6	00	08	00	6	00	08	00
	5	00	08	00	5	00	08	00

[F. No. R-11025(15)/3/2019-OR-1/E-29921]

P. SOMAKUMAR, Under Secy.

नई दिल्ली, 28 नवम्बर, 2022

का.आ. 1222.—पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962, (1962 का 50) (इसके बाद उक्त अधिनियम कहा गया है) की धारा 2 के खंड (क) के अनुसरण में, केन्द्र सरकार उक्त अधिनियम के अधीन निम्न तालिका के कॉलम (2) में उल्लिखित क्षेत्र के संबंध में कॉलम (3) में उल्लिखित प्रचालनरत पेट्रोलियम पाइपलाइन के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड हेतु उक्त अधिनियम के अंतर्गत सक्षम प्राधिकरण के कार्यों के निष्पादन के लिए निम्न तालिका के कॉलम (1) में उल्लिखित व्यक्ति को प्राधिकृत करती है :-

व्यक्ति का नाम और पता	क्षेत्राधिकार का क्षेत्र	पेट्रोलियम पाइपलाइन (न्स) का नाम	परिवहन किए जाने वाले उत्पाद / उत्पादों
(1)	(2)	(3)	(4)
श्री पंकज कुमार सिन्हा मुख्य प्रचालन प्रबंधक,	झारखंड राज्य	पारादीप रायपुर रांची पाइपलाइन	एमएस, एचएसडी, पीसीके

इंडियन ऑयल कॉर्पोरेशन लिमिटेड			
पारादीप रायपुर रांची पाइपलाइन			

इससे पूर्व दिनांक 13 अप्रैल 2019 के भारत के राजपत्र में प्रकाशित दिनांक 4 अप्रैल 2019 के का.आ. 544 के अंतर्गत झारखंड राज्य में इंडियन ऑयल कॉर्पोरेशन लिमिटेड के लिए अधिसूचित सक्षम प्राधिकारी, श्री सुजीत कुमार किस्क, वरिष्ठ प्रचालन प्रबंधक प्रभारी, को डी-नोटिफाइड समझा जाए।

यह अधिसूचना जारी होने की तारीख से लागू होगी।

[फा. सं. आर-11025(11)/19/2018/-ओआर-1/ई-27024]

पी. सोमाकुमार, अवर सचिव

New Delhi, the 28th November, 2022

S.O. 1222.—In pursuance of sub-section (a) of Section 2 of the Petroleum and Minerals Pipelines (Acquisition of Right of Users in Land) Act, 1962 (50 of 1962), (hereinafter called the said Act), the Central Government hereby authorizes the person mentioned in column (1) of the table given below to perform the functions of the Competent Authority under the said Act for Indian Oil Corporation Limited in respect of areas mentioned in column (2) for the operational petroleum pipelines laid under the said Act mentioned in Column (3) of the said Table:-

Name and Address of the Person	Area of Jurisdiction	Name of Petroleum Pipeline(s)	Product/products being transported
(1)	(2)	(3)	(4)
Shri Pankaj Kumar Sinha Chief Operations Manager, Indian Oil Corporation Limited Paradip Raipur Ranchi Pipeline	Jharkhand state	Paradip Raipur Ranchi Pipeline	MS, HSD, PCK

Earlier notified Competent Authority for Indian Oil Corporation Limited in the State of Jharkhand, Shri Sujit Kumar Kisku, Senior Operations Manager I/c, vide S.O. 544 of MoP&NG dated 4th April 2019 published in the Gazette of India dated 13th April 2019 stands de-notified.

This notification will be effective from the date of its issue.

[F. No. R-11025(11)/19/2018-OR-1/E-27024]

P. SOMAKUMAR, Under Secy.

नई दिल्ली, 29 नवम्बर, 2022

का.आ. 1223.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोगकर्ता के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है कि धारा) की धारा 3 की उप-धारा (1), के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 4050 दिनांक 21 अगस्त 2021 जो भारत के साप्ताहिक राजपत्र संख्या का.आ 3716, 1 अक्टूबर, 2021 में प्रकाशित की गई थी द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में कृष्णापटनम आंध्र प्रदेश से हैदराबाद तेलंगाना राज्य तक पेट्रोलियम उत्पादों के परिवहन के लिए कृष्णापटनम-हैदराबाद पाइपलाइन परियोजना के माध्यम से भारत पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन के अपने आशय की घोषणा की थी;

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को दिनांक 22 दिसंबर, 2021 तक उपलब्ध करा दी गई थी;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उप-धारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात् और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिये अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है;

अतः अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाए;

और केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की दिनांक से केन्द्रीय सरकार में निहित होने की बजाए, सभी विल्लंगमों से मुक्त होकर भारत पेट्रोलियम कॉर्पोरेशन लिमिटेड में निहित होगी।

पेट्रोलियम और खनिज पाइपलाइन अधिनियम, 1962 की धारा 10 के अधीन किसी भी क्षतिपूर्ति के लिए भारत पेट्रोलियम कॉर्पोरेशन लिमिटेड पूर्णतया उत्तरदायी होगा और पाइपलाइन से सम्बन्धित किसी भी मामले पर केन्द्रीय सरकार के विरुद्ध कोई वाद, दावा या कानूनी कार्यवाही नहीं हो सकेगी।

अनुसूची

मंडल – सिंगरायकोंडा		संभाग – ओंगोल	जिला – प्रकाशम		राज्य - आंध्र प्रदेश
1	2	3	4	5	6
गांव	सर्वे नंबर	सब-डिवी सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
सिंगरायकोंडा नं. 64	357- नहर	2	00	02	71
	357	1	00	10	18
	356- मछली तालाब	1	00	13	43
	355- नहर	--	00	07	60
	344	--	00	21	55
	345AW/सरकारी जमीन		00	07	94
	346	9	00	03	85
	346	1	00	17	41
	343	8	00	10	71
	342	11	00	16	31
	342	10	00	11	10
	336	1	00	24	75
	337	2	00	13	59
	337	1	00	20	42
	322	--	00	34	53
	324	--	00	20	66

	325	--	00	18	71
	326	--	00	19	78
	315	--	00	63	81
	314	--	00	07	46
	313	--	00	26	89
	311	--	00	08	53
		कुल	03	81	92
सोमाराज्ञपल्ले नं. 60	479-पैदल सड़क	--	00	01	43
	478	2	00	36	39
	478	1 ए 1	00	25	27
	478	1बी	00	71	05
	477	1&2	00	16	81
	470- सड़क	--	00	14	11
	469	--	00	45	28
	464	--	00	69	32
	466	4	00	36	46
	466	2	00	15	70
	466	3	00	01	51
	466	1	00	20	10
	467	3	00	06	58
	450		00	17	13
	449	1	00	19	84
	467	2	00	03	42
	446	21	00	22	16
	415	--	00	56	47
	414- नहर	--	00	04	45
	278	3	00	34	98
	281- तालाब	2बी	00	17	78
	281- तालाब	1	00	19	04
	281	2ए	00	07	96
	282	2	00	01	92
	280	1	00	24	76
	283	--	00	23	44
	264- नहर	--	00	04	02
	265		00	25	47
	267		00	05	22

	261- नहर	--	00	05	22
	260	2	00	77	74
	260	1	00	14	46
	200- नहर	--	00	02	76
	199- नहर	--	00	00	02
	198	--	00	24	26
	202	1	00	01	00
	196- नहर	--	00	02	47
	197	--	00	08	84
	195	--	00	06	11
	194- नहर	--	00	00	44
	193		00	02	22
	190- नहर	--	00	01	34
	188	2बी	00	03	68
	189- डोंका	--	00	07	75
	148	3	00	03	56
	148- सड़क	2	00	01	22
	148	1	00	04	95
	150	--	00	01	00
	149	4	00	15	32
	149	3	00	14	06
	151	1	00	12	48
	118	-	00	16	89
	115	2	00	07	21
	115	1	00	05	38
	116	3	00	11	83
	116	2	00	01	00
	71- नहर	--	00	01	33
	73	2	00	14	74
	74	2	00	04	88
	74	1	00	15	84
	73	1बी	00	03	93
	73	1ए	00	04	29
	75- नहर	--	00	01	20
	55- टंकी	--	00	00	99
	41	1	00	22	94
	41	2	00	04	74
	42- टंकी	2	00	09	94

	42	1	00	10	36
	43- नहर	--	00	01	71
	44	4	00	05	30
	32- टंकी	--	00	11	00
	31- टंकी	--	00	01	39
	21- डोंका	--	00	01	39
	20 डोंका	--	00	07	59
	19 टंकी	--	00	16	52
	14 टंकी	--	00	11	41
	13 टंकी	--	00	08	31
	1	--	01	22	96
	8- टंकी	--	00	04	04
	4	2D2	00	35	32
	4	1	00	35	62
	5	--	00	09	64
	2	3	00	29	42
	कुल		12	98	08
पकाला नं. 61	280 & 283	1ए	00	10	72
	281	3बी	00	15	32
	281	3ए	00	05	13
	281	2	00	10	29
	281	1	00	11	72
	282	--	00	18	80
	280 & 283- सड़क	2ए	00	03	52
	280 & 283	2ए	00	50	09
	280 & 283- सड़क	1बी	00	02	90
	280 & 283	2बी	00	06	03
	278	1	00	16	31
	239- नदी	--	00	24	20
	कुल		01	75	03

[फा. सं. आर-11025(15)/1/2021-ओआर-1/ई-37744]

पी. सोमाकुमार, अवर सचिव

New Delhi, the 29th November, 2022

S.O. 1223.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. NO.4050(E) dated the 21st August, 2021 issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), published in the weekly Gazette of India Extraordinary No.3716, 1st October, 2021 the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to that notification for the purpose of laying Krishnapatnam - Hyderabad Pipeline for transportation of Petroleum products from Krishnapatnam (SPSR Nellore, Andhra Pradesh) to Madharam near Hyderabad (Ranga Reddy, Telangana) by Bharat Petroleum Corporation Limited;

And whereas copies of the said Gazette notification were made available to the public up to 22nd December, 2021;

And whereas the competent authority has under sub-section (1) of Section 6 of the said Act submitted report to the Central Government;

And whereas the Central Government, after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire the right of user therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the land, specified in the Schedule appended to this notification is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of Section 6 of the said Act, the Central Government hereby directs that the right of user in the said land for laying the pipeline shall, instead of vesting in the Central Government, vest on the date of the publication of the declaration, in Bharat Petroleum Corporation Limited, free from all encumbrances.

Bharat Petroleum Corporation Limited shall be exclusively liable for any compensation in terms of Section 10 of the P & MP Act, 1962 and no suit, claim or legal proceeding would lie against the Central Government on any matter relating to the pipeline.

SCHEDULE

Mandal: Singarayakonda			Revenue Division: Ongole		
District: Prakasam			State: Andhra Pradesh		
1	2	3	4	5	6
Name of the Village	Survey No.	Sub-Divi- No.	Area		
			Hectare	Are	Sq.mtr.
Singarayakonda NO.64	357-Canal	2	00	02	71
	357	1	00	10	18
	356-Aqua Pond	1	00	13	43
	355-Canal	--	00	07	60
	344	--	00	21	55
	345		00	07	94
	346	9	00	03	85
	346	1	00	17	41
	343	8	00	10	71
	342	11	00	16	31
	342	10	00	11	10
	336	1	00	24	75
	337	2	00	13	59
	337	1	00	20	42
	322	--	00	34	53
	324	--	00	20	66
	325	--	00	18	71
	326	--	00	19	78
	315	--	00	63	81
	314	--	00	07	46
	313	--	00	26	89
	311	--	00	08	53
	Total		03	81	92
Somarajupalle No.60	479-Foot Path	--	00	01	43

	478	2	00	36	39
	478	1A1	00	25	27
	478	1B	00	71	05
	477	1&2	00	16	81
	470-Road	--	00	14	11
	469	--	00	45	28
	464-Assessed Waste	--	00	69	32
	466	4	00	36	46
	466	2	00	15	70
	466	3	00	01	51
	466	1	00	20	10
	467	3	00	06	58
	450		00	17	13
	449	1	00	19	84
	467	2	00	03	42
	446	21	00	22	16
	415	--	00	56	47
	414-Canal	--	00	04	45
	278	3	00	34	98
	281-Pond	2B	00	17	78
	281-Pond	1	00	19	04
	281	2A	00	07	96
	282	2	00	01	92
	280	1	00	00	01
	280	1	00	24	76
	283	--	00	23	44
	264-Channel	--	00	04	02
	265		00	25	47
	267		00	05	22
	261-Channel	--	00	05	22
	260	2	00	77	74
	260	1	00	14	46
	200-Channel	--	00	02	76
	199-Channel	--	00	00	02
	198	--	00	24	26
	202	1	00	00	96
	196-Channel	--	00	02	47
	197	--	00	08	84
	195	--	00	06	11
	194-Channel	--	00	00	44
	193		00	02	22
	190-Channel	--	00	01	34
	188	2B	00	03	68
	189-Foot Path	--	00	07	75
	148	3	00	03	56
	148-Road	2	00	01	22
	148	1	00	04	95
	150	--	00	00	39
	149	4	00	15	32
	149	3	00	14	06
	151	1	00	12	48
	118	-	00	16	89
	115	2	00	07	21
	115	1	00	05	38
	116	3	00	11	83
	116	2	00	01	00
	71-Channel	--	00	01	33
	73	2	00	14	74
	74	2	00	04	88
	74	1	00	15	84
	73	1B	00	03	93
	73	1A	00	04	29

	75-Channel	--	00	01	20
	55-Tank	--	00	00	99
	41	1	00	22	94
	41	2	00	04	74
	42-Tank	2	00	09	94
	42	1	00	10	36
	43-Channel	--	00	01	71
	44	4	00	05	30
	32-Tank	--	00	11	00
	31-Tank	--	00	01	39
	21-Foot Path	--	00	01	39
	20 Foot Path	--	00	07	59
	19 Tank	--	00	16	52
	14 Tank	--	00	11	41
	13 Tank	--	00	08	31
	1	--	01	22	96
	8-Tank	--	00	04	04
	4	2D2	00	35	32
	4	1	00	35	62
	5	--	00	09	64
	2	3	00	29	42
Total			12	98	08
Pakala No.61	280 & 283	1A	00	10	72
	281	3B	00	15	32
	281	3A	00	05	13
	281	2	00	10	29
	281	1	00	11	72
	282	--	00	18	80
	280 & 283 Road	2A	00	03	52
	280 & 283	2A	00	50	09
	280 & 283-Road	1B	00	02	90
	280 & 283	2B	00	06	03
	278	1	00	16	31
	239-River	--	00	24	20
Total			01	75	03

[F. No. R-11025(15)/1/2021-OR-1/E-37744]

P. SOMAKUMAR, Under Secy.

नई दिल्ली, 29 नवम्बर, 2022

का.आ. 1224.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोगकर्ता के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है कि धारा) की धारा 3 की उप-धारा (1), के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 4048 दिनांक 13 अगस्त 2021 जो भारत के सामाहिक राजपत्र संख्या का. आ. 3714. 1 अक्टूबर, 2021 में प्रकाशित की गई थी द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में कृष्णापटनम आंध्र प्रदेश से हैदराबाद तेलंगाना राज्य तक पेट्रोलियम उत्पादों के परिवहन के लिए कृष्णापटनम-हैदराबाद पाइपलाइन परियोजना के माध्यम से भारत पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन के अपने आशय की घोषणा की थी;

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को दिनांक 30 नवंबर, 2021 तक उपलब्ध करा दी गई थी;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उप-धारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात् और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिये अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है;

अतः अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाए;

और केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की दिनांक से केन्द्रीय सरकार में निहित होने की बजाए, सभी विल्लंगमों से मुक्त होकर भारत पेट्रोलियम कॉर्पोरेशन लिमिटेड में निहित होगी।

पेट्रोलियम और खनिज पाइपलाइन अधिनियम, 1962 की धारा 10 के अधीन किसी भी क्षतिपूर्ति के लिए भारत पेट्रोलियम कॉर्पोरेशन लिमिटेड पूर्णतया उत्तरदायी होगा और पाइपलाइन से सम्बन्धित किसी भी मामले पर केन्द्रीय सरकार के विरुद्ध कोई वाद, दावा या कानूनी कार्यवाही नहीं हो सकेगी।

अनुसूची

मंडल – गुदलुरु	संभाग – कंदुकुरो	जिला – एस.पी.एस.आर. नेल्लोर	राज्य – आंध्र प्रदेश		
1	2	3	4	5	6
गांव	सर्वे नंबर	सब-डिवी सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
चेवरु नं. 122	529	5	00	01	00
	527- नाला (नाली)	--	00	00	79
	520	--	00	01	00
	526	--	00	30	49
	521	2	00	29	64
	525	--	00	01	00
	522	--	00	14	02
	507	4	00	02	93
	523	--	00	19	38
	507	2	00	06	49
	507	1	00	10	32
	506	--	00	16	53
	505	--	00	17	30
	504	2	00	07	35
	504	1	00	06	66
	503	2	00	16	63
	538- नाली	--	00	01	66
	543	3	00	06	86
	543	1	00	11	81
	548	--	00	12	52
	549	--	00	08	72
	346	--	00	13	21
	347	--	00	06	72

	349	--	00	14	89
	338	--	00	12	48
	339	2	00	09	19
	340	--	00	01	00
	339	1	00	21	37
	280	--	00	03	55
	281	2	00	06	60
	282	2	00	13	06
	331	--	00	02	01
	330	--	00	06	90
	329- नाली	--	00	01	20
	328	--	00	11	53
	326	--	00	11	62
	323	--	00	11	37
	289	--	00	03	39
	290	--	00	09	95
	291	1	00	06	24
	293	--	00	06	71
	294	--	00	03	48
	295	--	00	11	85
	297- नाली	--	00	00	65
	306	--	00	06	63
	305	--	00	05	89
	304- नाली	--	00	00	84
	299	--	00	08	47
	300	--	00	11	04
	301- नालाब	--	00	01	04
	245- डोंका	--	00	03	47
	122	--	00	08	72
	121- नहर	--	00	00	85
	120	--	00	15	46
	119	--	00	12	15
	118	1	00	05	59
	118	2	00	04	46
	117	--	00	06	41

रवुरु नं. 121	116- नाली	--	00	01	08
	142	--	00	12	14
	144	--	00	17	88
	150	--	00	15	18
	173- नाला (नाली)	--	00	01	08
	172	2	00	04	01
	171- नाली	--	00	01	13
	170	--	00	01	99
	169	--	00	08	03
	168	--	00	05	19
	167	--	00	01	00
	964	--	00	01	97
	963	--	00	57	13
	163	--	00	33	00
	कुल		06	63	90
	219	2	00	26	88
	221- आर & बी सड़क	--	00	02	69
	321- टंकी	--	02	58	83
	321- टंकी	--	00	01	31
	604- वन	--	03	25	20
	627- आर & बी सड़क	--	00	04	15
	627- आर & बी सड़क	--	00	04	86
	कुल		06	23	92
मोचेरला नं. 119	674	--	00	32	84
	656	3	00	56	59
	540	2	00	72	05
	540	3	00	06	14
	540- सड़क	3	00	01	56
	537	--	00	08	17
	536	--	00	31	37
	538	--	00	12	95
	639	--	00	37	71
	638	--	00	32	13
	637	--	00	31	77
	636	--	00	01	00
	517	1	00	28	40
	516	--	00	04	86
	519	2	00	29	89
	512	--	00	21	65
	511	1	00	01	00
	690	--	00	16	12

	689	1	00	10	68
	689	2	00	16	15
	688	1	00	27	10
	654	--	00	31	15
	495	--	00	14	82
	494	--	00	22	20
	493	1	00	05	27
	652	--	00	06	71
	563- वन	--	01	75	33
	563- नाला (वन)	--	00	04	55
	564	--	00	27	15
	565	--	00	45	35
	568	--	00	13	42
		कुल	08	26	08

[फा. सं. आर-11025(15)/1/2021-ओआर-1/ई-37744]

पी. सोमाकुमार, अवर सचिव

New Delhi, the 29th November, 2022

S.O. 1224.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. NO.4048(E) dated the 13th August, 2021 issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), published in the weekly Gazette of India Extraordinary No.3714, 1st October, 2021 the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to that notification for the purpose of laying Krishnapatnam-Hyderabad Pipeline for transportation of Petroleum products from Krishnapatnam (SPSR Nellore, Andhra Pradesh) to Madharam near Hyderabad (Ranga Reddy, Telangana) by Bharat Petroleum Corporation Limited;

And whereas copies of the said Gazette notification were made available to the public up to 30th November, 2021;

And whereas the competent authority has under sub-section (1) of Section 6 of the said Act submitted report to the Central Government;

And whereas the Central Government, after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire the right of user therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the land, specified in the Schedule appended to this notification is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of Section 6 of the said Act, the Central Government hereby directs that the right of user in the said land for laying the pipeline shall, instead of vesting in the Central Government, vest on the date of the publication of the declaration, in Bharat Petroleum Corporation Limited, free from all encumbrances.

Bharat Petroleum Corporation Limited shall be exclusively liable for any compensation in terms of Section 10 of the P & MP Act, 1962 and no suit, claim or legal proceeding would lie against the Central Government on any matter relating to the pipeline.

SCHEDULE

Mandal: Gudluru District: S.P.S.R. Nellore			Revenue Division: Kandukur State: Andhra Pradesh		
1	2	3	4	5	6
Name of the village	Survey No.	Sub-Div- No.	Area		
			Hectare	Are	Sq.mtr.
Chevuru No.122	529	5	00	01	00
	527-NALA CHANNEL	--	00	00	79
	520	--	00	01	00
	526	--	00	30	49
	521	2	00	29	64
	525	--	00	01	00
	522	--	00	14	02
	507	4	00	02	93
	523	--	00	19	38
	507	2	00	06	49
	507	1	00	10	32
	506	--	00	16	53
	505	--	00	17	30
	504	2	00	07	35
	504	1	00	06	66
	503	2	00	16	63
	538-CHANNEL	--	00	01	66
	543	3	00	06	86
	543	1	00	11	81
	548	--	00	12	52
	549	--	00	08	72
	346	--	00	13	21
	347	--	00	06	72
	349	--	00	14	89
	338	--	00	12	48
	339	2	00	09	19
	340	--	00	01	00
	339	1	00	21	37
	280	--	00	03	55
	281	2	00	06	60
	282	2	00	13	06
	331	--	00	02	01
	330	--	00	06	90
	329-CHANNEL	--	00	01	20
	328	--	00	11	53
	326	--	00	11	62
	323	--	00	11	37
	289	--	00	03	39
	290	--	00	09	95
	291	1	00	06	24
	293	--	00	06	71
	294	--	00	03	48
	295	--	00	11	85
	297-CHANNEL	--	00	00	65
	306	--	00	06	63

	305	--	00	05	89
	304-CHANNEL	--	00	00	84
	299	--	00	08	47
	300	--	00	11	04
	301-POND	--	00	01	04
	245-DONKA	--	00	03	47
	122	--	00	08	72
	121-CANAL	--	00	00	85
	120	--	00	15	46
	119	--	00	12	15
	118	1	00	05	59
	118	2	00	04	46
	117	--	00	06	41
	116-CHANNEL	--	00	01	08
	142	--	00	12	14
	144	--	00	17	88
	150	--	00	15	18
	173-NALA-CHANNEL	--	00	01	08
	172	2	00	04	01
	171-CHANNEL	--	00	01	13
	170	--	00	01	99
	169	--	00	08	03
	168	--	00	05	19
	167	--	00	01	00
	964	--	00	01	97
	963	--	00	57	13
	163	--	00	33	00
Total			06	63	90
Ravuru No.121	219	2	00	26	88
	221-R & B ROAD	--	00	02	69
	321-TANK	--	02	58	83
	321-TANK	--	00	01	31
	604-FOREST	--	03	25	20
	627-R & B ROAD	--	00	04	15
	627-R & B ROAD	--	00	04	86
Total			06	23	92
Mocherla No.119	674	--	00	32	84
	656	3	00	56	59
	540	2	00	72	05
	540	3	00	06	14
	540-ROAD	3	00	01	56
	537	--	00	08	17
	536	--	00	31	37
	538	--	00	12	95
	639	--	00	37	71
	638	--	00	32	13
	637	--	00	31	77
	636	--	00	01	00
	517	1	00	28	40

	516	--	00	04	86
	519	2	00	29	89
	512	--	00	21	65
	511	1	00	01	00
	690	--	00	16	12
	689	1	00	10	68
	689	2	00	16	15
	688	1	00	27	10
	654	--	00	31	15
	495	--	00	14	82
	494	--	00	22	20
	493	1	00	05	27
	652	--	00	06	71
	563-FOREST	--	01	75	33
	563-NALA(FOREST)	--	00	04	55
	564	--	00	27	15
	565	--	00	45	35
	568	--	00	13	42
Total			08	26	08

[F. No. R-11025(15)/1/2021-OR-1/E-37744]

P. SOMAKUMAR, Under Secy.

नई दिल्ली, 29 नवम्बर, 2022

का.आ. 1225.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उप-धारा (1)के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 4049(अ) दिनांक 23 अगस्त, 2021 जो भारत के साप्ताहिक राजपत्र 1 अक्टूबर, 2021 में प्रकाशित की गई थी द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में कृष्णापटनम आंध्र प्रदेश से हैदराबाद तेलंगाना राज्य तक पेट्रोलियम उत्पादों के परिवहन के लिए कृष्णापटनम-हैदराबाद पाइपलाइन परियोजना के माध्यम से भारत पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन के अपने आशय की घोषणा की थी;

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को दिनांक 31 अक्टूबर, 2021 तक उपलब्ध करा दी गई थी;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उप-धारा (1)के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात् और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिये अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है;

अतः अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उप-धारा (1)द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाए;

और केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की दिनांक से केन्द्रीय सरकार में निहित होने की बजाए, सभी विल्लंगमों से मुक्त होकर भारत पेट्रोलियम कॉर्पोरेशन लिमिटेड में निहित होगी।

पेट्रोलियम और खनिज पाइपलाइन अधिनियम, 1962 की धारा 10 के अधीन किसी भी क्षतिपूर्ति के लिए भारत पेट्रोलियम कॉर्पोरेशन लिमिटेड पूर्णतया उत्तरदायी होगा और पाइपलाइन से सम्बन्धित किसी भी मामले पर केन्द्रीय सरकार के विरुद्ध कोई वाद, दावा या कानूनी कार्यवाही नहीं हो सकेगी।

अनुसूची

मण्डल-ओंगोल	राजस्व विभाग -ओंगोल	जिला-प्रकाशम	राज्य-आंध्र प्रदेश		
(1)	(2)	(3)	(4)	(5)	(6)
गाँव का नाम	सर्वे नम्बर	उप-खण्ड नम्बर	क्षेत्रफल		
			हैक्टेयर	एयर	वर्गमीटर
मंगलारद्रीपुर नम्बर. 162	30	2	00	08	58
	26	5	00	05	73
	26	4	00	19	27
	26	3	00	09	34
	26	2	00	07	90
	25	3	00	01	02
	24	2	00	23	65
	24	1A	00	03	71
	6	3	00	09	22
	6	2	00	09	44
	23	5	00	02	02
	23	4A	00	06	19
	7	1	00	30	74
	8	3	00	11	94
	8	2	00	06	04
	2	2	00	01	00
	1	5	00	07	56
	1	4B	00	08	24
	1	4A	00	02	33
	1	3B	00	14	99
	1- नहर	3B	00	03	18
योग			01	92	09
यराजेरला नम्बर 161	386- कच्चारस्ता	--	00	23	48
	389- कच्चारस्ता	--	00	08	25

390- कञ्चारास्ता	--	00	02	79
393	2	00	08	95
393	1	00	11	61
392	2	00	35	30
392	1	00	01	00
314- नहर	5	00	02	95
314	2	00	17	39
312	1	00	07	66
313	3	00	16	56
313	2	00	01	60
313	1	00	13	84
326	3	00	01	00
303-कञ्चारास्ता	-	00	03	24
304	5	00	04	47
304	7	00	05	09
299	10	00	05	63
299	8	00	11	46
299	7	00	05	48
298	2	00	20	73
298	1	00	08	97
297	3	00	19	09
288-नाली	-	00	02	01
275-नाली	-	00	16	37
274	3	00	13	00
274	2	00	08	07
271	2	00	01	21
274	1	00	20	10
273-कञ्चारास्ता	-	00	07	60
127	1	00	30	23
128	3	00	01	00
128	1	00	30	12
129	2	00	01	00
133	5	00	02	83
133	6	00	08	47
149	10	00	01	00

	149	6	00	18	08
	149	5	00	03	07
	149	1	00	08	13
	148	2A	00	01	08
	148	1C	00	08	19
	148- नहर	1B	00	05	23
	148	1A2	00	04	57
	147	2A2	00	12	49
	147	1A	00	00	61
	153	4B	00	15	37
	153	3B	00	01	78
	153-नहर	1B	00	02	20
	154-नाला	2	00	05	82
	154	1	00	27	13
	6	3	00	01	78
	6	2C	00	08	77
	6-नहर	2B	00	05	15
	6	2A	00	08	91
	5	3A	00	03	44
	5	1	00	23	13
योग			05	44	48
सरवेरेड्डीपालेम नम्बर 160	92	3B	00	04	16
	92	3A	00	14	49
	91	3	00	01	00
	90	4	00	14	43
	90	3	00	05	05
	84	7	00	10	12
	84	6	00	01	85
	84	3	00	03	19
	84	4	00	05	42
	85	3	00	04	99
	85	2	00	05	59
	85	1	00	12	42

	81	2	00	29	78
	82	1B	00	13	72
	82-नहर	1A	00	01	00
	79- नाली	--	00	06	50
	76-नाली	--	00	17	06
	77	3B	00	02	95
	75	1	00	01	18
	55	9B	00	16	82
	55	1	00	02	07
	55	2	00	12	03
	57	2	00	16	61
	57	1	00	07	40
	60	2B	00	01	00
	58-कच्चा रास्ता	--	00	05	29
	11	7	00	01	00
	11	6C	00	03	91
	11	6B	00	01	00
	11	6A	00	06	61
	11	5	00	01	00
	7	4	00	16	37
	7	3B	00	07	96
	7	3A	00	07	69
	7	2	00	14	52
	6-कच्चा रास्ता	--	00	02	48
योग			02	78	66
वेन्नामुक्कापलेम नम्बर 159	16	13	00	01	89
	16	12	00	22	75
	16	10	00	04	26
	16	6	00	20	41
योग			00	49	31

[फा. सं. आर-11025(15)/1/2021-ओआर-1/ई-37744]

पी. सोमाकुमार, अवर सचिव

New Delhi, the 29th November, 2022

S.O. 1225.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. NO.4049(E) dated the 23rd August, 2021 issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), published in the weekly Gazette of India No.3715, 1st October, 2021 the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to that notification for the purpose of laying Krishnapatnam - Hyderabad Pipeline for transportation of Petroleum products from Krishnapatnam (SPSR Nellore, Andhra Pradesh) to Madharam near Hyderabad (Ranga Reddy, Telangana) by Bharat Petroleum Corporation Limited;

And whereas copies of the said Gazette notification were made available to the public up to 31st October, 2021;

And whereas the competent authority has under sub-section (1) of Section 6 of the said Act submitted report to the Central Government;

And whereas the Central Government, after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire the right of user therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the land, specified in the Schedule appended to this notification is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of Section 6 of the said Act, the Central Government hereby directs that the right of user in the said land for laying the pipeline shall, instead of vesting in the Central Government, vest on the date of the publication of the declaration, in Bharat Petroleum Corporation Limited, free from all encumbrances.

Bharat Petroleum Corporation Limited shall be exclusively liable for any compensation in terms of Section 10 of the P & MP Act, 1962 and no suit, claim or legal proceeding would lie against the Central Government on any matter relating to the pipeline.

SCHEDULE

Mandal:Ongole	Revenue Division:Ongole	District:Prakasam	State:Andhra Pradesh		
(1)	(2)	(3)	(4)	(5)	(6)
Name of the Village	Survey No.	Sub-Divi-No.	Area		
			Hectare	Are	Sq.mtr.
Mangaladripuram No.162	30	2	00	08	58
	26	5	00	05	73
	26	4	00	19	27
	26	3	00	09	34
	26	2	00	07	90
	25	3	00	01	02
	24	2	00	23	65
	24	1A	00	03	71
	6	3	00	09	22
	6	2	00	09	44
	23	5	00	02	02
	23	4A	00	06	19
	7	1	00	30	74
	8	3	00	11	94
	8	2	00	06	04
	2	2	00	01	00
	1	5	00	07	56
	1	4B	00	08	24
	1	4A	00	02	33
	1	3B	00	14	99
	1-Canal	3B	00	03	18
TOTAL			01	92	09
Yarajerla – No.161	386-Cart Track	--	00	23	48
	389-Cart Track	--	00	08	25
	390-Cart Track	--	00	02	79
	393	2	00	08	95
	393	1	00	11	61
	392	2	00	35	30
	392	1	00	01	00
	314-Stream	5	00	02	95

	314	2	00	17	39
	312	1	00	07	66
	313	3	00	16	56
	313	2	00	01	60
	313	1	00	13	84
	326	3	00	01	00
	303-Cart Track	-	00	03	24
	304	5	00	04	47
	304	7	00	05	09
	299	10	00	05	63
	299	8	00	11	46
	299	7	00	05	48
	298	2	00	20	73
	298	1	00	08	97
	297	3	00	19	09
	288-Stream	-	00	02	01
	275-Stream	-	00	16	37
	274	3	00	13	00
	274	2	00	08	07
	271	2	00	01	21
	274	1	00	20	10
	273-Cart Track	-	00	07	60
	127	1	00	30	23
	128	3	00	01	00
	128	1	00	30	12
	129	2	00	01	00
	133	5	00	02	83
	133	6	00	08	47
	149	10	00	01	00
	149	6	00	18	08
	149	5	00	03	07
	149	1	00	08	13
	148	2A	00	01	08
	148	1C	00	08	19
	148-Canal	1B	00	05	23
	148	1A2	00	04	57
	147	2A2	00	12	49
	147	1A	00	00	61
	153	4B	00	15	37
	153	3B	00	01	78
	153-Canal	1B	00	02	20
	154-Canal	2	00	05	82
	154	1	00	27	13
	6	3	00	01	78
	6	2C	00	08	77
	6-Canal	2B	00	05	15
	6	2A	00	08	91
	5	3A	00	03	44
	5	1	00	23	13
TOTAL			05	44	48
Sarvereddypalem No.160	92	3B	00	04	16
	92	3A	00	14	49
	91	3	00	01	00
	90	4	00	14	43
	84	4	00	05	42
	85	3	00	04	99
	85	2	00	05	59
	85	1	00	12	42
	81	2	00	29	78
	82	1B	00	13	72
	82-Canal	1A	00	01	00
	79-Stream	--	00	06	50

	76-Stream	--	00	17	06
	77	3B	00	02	95
	75	1	00	01	18
	55	9B	00	16	82
	55	1	00	02	07
	55	2	00	12	03
	57	2	00	16	61
	57	1	00	07	40
	60	2B	00	01	00
	58-Cart track	--	00	05	29
	11	7	00	01	00
	11	6C	00	03	91
	11	6B	00	01	00
	11	6A	00	06	61
	11	5	00	01	00
	7	4	00	16	37
	7	3B	00	07	96
	7	3A	00	07	69
	7	2	00	14	52
	6-Cart track	--	00	02	48
TOTAL			02	78	66
Vengamukkapalem No.159	16	13	00	01	89
	16	12	00	22	75
	16	10	00	04	26
	16	6	00	20	41
TOTAL			00	49	31

[F. No. R-11025(15)/1/2021-OR-1/E-37744]

P. SOMAKUMAR, Under Secy.

नई दिल्ली, 29 नवम्बर, 2022

का.आ. 1226.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोगकर्ता के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है कि धारा) की धारा 3 की उप-धारा (1), के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 4891 दिनांक 25 नवंबर, 2021 जो भारत के साप्ताहिक राजपत्र 29 नवंबर, 2021 में प्रकाशित की गई थी द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में कृष्णापटनम आंध्र प्रदेश से हैदराबाद तेलंगाना राज्य तक पेट्रोलियम उत्पादों के परिवहन के लिए कृष्णापटनम-हैदराबाद पाइपलाइन परियोजना के माध्यम से भारत पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन के अपने आशय की घोषणा की थी;

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को दिनांक 31 जनवरी, 2022 तक उपलब्ध करा दी गई थी;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उप-धारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात् और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिये अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है;

अतः अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाए;

और केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की दिनांक से केन्द्रीय सरकार में निहित होने की बजाए, सभी विल्लंगमों से मुक्त होकर भारत पेट्रोलियम कॉर्पोरेशन लिमिटेड में निहित होगी।

पेट्रोलियम और खनिज पाइपलाइन अधिनियम, 1962 की धारा 10 के अधीन किसी भी क्षतिपूर्ति के लिए भारत पेट्रोलियम कॉर्पोरेशन लिमिटेड पूर्णतया उत्तरदायी होगा और पाइपलाइन से सम्बन्धित किसी भी मामले पर केन्द्रीय सरकार के विरुद्ध कोई वाद, दावा या कानूनी कार्यवाही नहीं हो सकेगी।

अनुसूची

मंडल – मद्दिपाडु			संभाग - ओंगोल		
जिला – प्रकाशम			राज्य - आंध्र प्रदेश		
1	2	3	4	5	6
गांव	सर्वे नंबर	सब-डिवी सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
नेलातुर नं. 77	469	--	00	04	74
	470	--	00	24	45
	477	--	00	01	33
	464	--	00	03	61
	478	--	00	21	51
	479	1C	00	17	27
	479	1A	00	03	63
	480	2	00	01	97
	480	1	00	16	55
	480-नहर	1	00	02	30
	482	1	00	01	00
	526-नाली	--	00	10	22
	527-नाली	2	00	03	30
	528-नाली	--	00	01	54
	536	2	00	18	67
	535	2	00	21	15
	535	1	00	01	95
	532	--	00	18	03
	534-सड़क	--	00	03	25
	545	--	00	10	65
	546	--	00	39	07
	547	--	00	12	79
योग			02	38	98
डोडुवरम नं. 130	383	4	00	11	29
	383	2	00	12	70
	383	1	00	17	26
	382	3	00	01	00
	282-सड़क	3	00	05	09
	283	2	00	07	67

	285	3	00	22	90
	284	2	00	09	64
	284-नहर	2	00	04	67
	286	1	00	18	51
	278	4	00	01	00
	277	4	00	01	35
	277-नहर	4	00	04	08
	277	3B	00	18	90
	277	1A	00	03	93
	276	1A	00	03	94
	301-नाली	2	00	31	14
	300	5	00	10	28
	302-नाली	--	00	05	99
	303	9	00	05	25
	303	7	00	16	74
	304	5	00	20	73
	304-नहर	5	00	02	17
	304	2	00	07	55
	304	1	00	06	95
	305	5	00	01	36
	305	4	00	10	89
	305	3	00	01	37
	308	3	00	08	37
	308	1	00	19	30
	262	--	00	40	69
	260-कच्चा रास्ता	--	00	03	35
	251	4	00	27	74
	252	1	00	05	04
	250	4	00	23	66
	247	1	00	25	40
	249	3	00	08	87
	249	2	00	01	00
	249-कच्चा रास्ता	1	00	02	95
योग			04	30	72

[फा. सं. आर-11025(15)/1/2021-ओआर-1/ई-37744]

पी. सोमाकुमार, अवर सचिव

New Delhi, the 29th November, 2022

S.O. 1226.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. NO.4891(E) dated the 25th November, 2021 issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), published in the weekly Gazette of India Extraordinary No.4522, 29th November, 2021 the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to that notification for the purpose of laying Krishnapatnam - Hyderabad Pipeline for transportation of Petroleum products from Krishnapatnam (SPSR Nellore, Andhra Pradesh) to Madharam near Hyderabad (Ranga Reddy, Telangana) by Bharat Petroleum Corporation Limited;

And whereas copies of the said Gazette notification were made available to the public up to 31st January, 2022;

And whereas the competent authority has under sub-section (1) of Section 6 of the said Act submitted report to the Central Government;

And whereas the Central Government, after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire the right of user therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the land, specified in the Schedule appended to this notification is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of Section 6 of the said Act, the Central Government hereby directs that the right of user in the said land for laying the pipeline shall, instead of vesting in the Central Government, vest on the date of the publication of the declaration, in Bharat Petroleum Corporation Limited, free from all encumbrances.

Bharat Petroleum Corporation Limited shall be exclusively liable for any compensation in terms of Section 10 of the P & MP Act, 1962 and no suit, claim or legal proceeding would lie against the Central Government on any matter relating to the pipeline.

SCHEDULE

Mandal:Maddipadu		Revenue Division:Ongole		District:Prakasam		State: Andhra Pradesh	
1	2	3	4	5	6		
Name of the Village	Survey No.	Sub-Divi- No.	Area				
			Hectare	Are	Sq.mtr.		
Nelatur No.77	469	--	00	04	74		
	470	--	00	24	45		
	477	--	00	01	33		
	464	--	00	03	61		
	478	--	00	21	51		
	479	1C	00	17	27		
	479	1A	00	03	63		
	480	2	00	01	97		
	480	1	00	16	55		
	480-Canal	1	00	02	30		
	482	1	00	01	00		
	526-Stream	--	00	10	22		
	527-Stream	2	00	03	30		
	528-Stream	--	00	01	54		
	536	2	00	18	67		
	535	2	00	21	15		

	535	1	00	01	95
	532	--	00	18	03
	534-Road	--	00	03	25
	545	--	00	10	65
	546	--	00	39	07
	547	--	00	12	79
	TOTAL		02	38	98
Doddavaram No.130	383	4	00	11	29
	383	2	00	12	70
	383	1	00	17	26
	382	3	00	01	00
	282-Road	3	00	05	09
	283	2	00	07	67
	285	3	00	22	90
	284	2	00	09	64
	284-Canal	2	00	04	67
	286	1	00	18	51
	278	4	00	01	00
	277	4	00	01	35
	277-Canal	4	00	04	08
	277	3B	00	18	90
	277	1A	00	03	93
	276	1A	00	03	94
	301-Stream	2	00	31	14
	300	5	00	10	28
	302-Stream	--	00	05	99
	303	9	00	05	25
	303	7	00	16	74
	304	5	00	20	73
	304-Canal	5	00	02	17
	304	2	00	07	55
	304	1	00	06	95
	305	5	00	01	36
	305	4	00	10	89
	305	3	00	01	37
	308	3	00	08	37
	308	1	00	19	30
	262	--	00	40	69
	260-Cart Track	--	00	03	35
	251	4	00	27	74
	252	1	00	05	04
	250	4	00	23	66
	247	1	00	25	40
	249	3	00	08	87
	249	2	00	01	00
	249-Cart Track	1	00	02	95
	TOTAL		04	30	72

[F. No. R-11025(15)/1/2021-OR-1/E-37744]

P. SOMAKUMAR, Under Secy.

नई दिल्ली, 29 नवम्बर, 2022

का.आ. 1227.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उप-धारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 4521(अ) दिनांक 29 नवम्बर, 2021 जो भारत के सामाहिक राजपत्र 1 अक्टूबर, 2021 में प्रकाशित की गई थी द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में कृष्णापटनम आंध्र प्रदेश से हैदराबाद तेलंगाना राज्य तक पेट्रोलियम उत्पादों के परिवहन के लिए कृष्णापटनम-हैदराबाद पाइपलाइन परियोजना के माध्यम से भारत पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन के अपने आशय की घोषणा की थी;

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को दिनांक 31 जनवरी, 2022 तक उपलब्ध करा दी गई थी;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उप-धारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात् और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिये अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है;

अतः अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाए;

और केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की दिनांक से केन्द्रीय सरकार में निहित होने की बजाए, सभी विल्लंगमों से मुक्त होकर भारत पेट्रोलियम कॉर्पोरेशन लिमिटेड में निहित होगी।

पेट्रोलियम और खनिज पाइपलाइन अधिनियम, 1962 की धारा 10 के अधीन किसी भी क्षतिपूर्ति के लिए भारत पेट्रोलियम कॉर्पोरेशन लिमिटेड पूर्णतया उत्तरदायी होगा और पाइपलाइन से सम्बन्धित किसी भी मामले पर केन्द्रीय सरकार के विरुद्ध कोई वाद, दावा या कानूनी कार्यवाही नहीं हो सकेगी।

अनुसूची

मण्डल-मुन्दलामुरू जिला-प्रकाशम			राजस्वविभाग-ओंगोल राज्य-आंध्रप्रदेश		
(1)	(2)	(3)	(4)	(5)	(6)
गाँव का नाम	सर्वे नम्बर	उप-खण्ड नम्बर	क्षेत्रफल		
			हैक्टेयर	हैक्टेयर	हैक्टेयर
भातलापल्ले नम्बर 93	296	1B	00	17	75
	296-नहर	1A	00	03	39
	295-नाली	--	00	07	83
	292-नहर	2	00	02	03
	292	4	00	10	31
	292	3	00	14	79
	292	1	00	16	14
	291	1	00	30	49
	289-कच्चा रास्ता	5	00	03	31
	289	1	00	28	12
	288	1C	00	07	87
	288	1B	00	07	83

	288	1A	00	13	83
	287	1A3	00	06	22
	287-नहर	1A2	00	03	85
	287	1A1	00	23	96
	279	2	00	22	98
	280	3	00	01	00
	280	1	00	34	53
	264-कच्चा रास्ता	6	00	01	08
	264	2	00	16	92
	265	4	00	20	14
	265	2	00	13	38
	265-कच्चा रास्ता	1	00	01	33
योग			03	09	08
कम्भामपडू नम्बर 93	127-सड़क	3	00	01	71
	127	3	00	22	07
	127	2	00	12	17
	130	--	00	16	75
	132	6	00	14	21
	132	5	00	18	29
	134	4	00	20	37
	137	1C	00	10	10
	137-नहर	1B	00	03	96
	137	1A	00	01	05
	135-नहर	3B	00	01	00
	135	7A	00	01	30
	135	6	00	09	51
	135	5	00	10	40
	135-कच्चा रास्ता	1	00	01	95
	120	4	00	06	10
	120	2	00	09	44
	120	1	00	07	26
	119	--	00	21	99
	88	7	00	10	53
	88	5	00	06	46
	88	4	00	08	92
	88	2	00	16	43
	88	1	00	01	17
	114	8	00	01	00

	114	4	00	06	92
	114	1	00	16	61
	115	2	00	01	00
	112-कच्चा रास्ता	--	00	04	90
	103	5	00	12	97
	103	4	00	17	71
	104	--	00	07	07
	109	--	00	18	34
	108	--	00	01	00
	32	6	00	01	41
	32	4	00	01	00
	32	3	00	19	09
	32	2	00	08	27
	19	2	00	06	85
	19	1	00	43	05
	17	2	00	01	00
	20	4	00	15	86
	20	2	00	15	09
	20	1	00	01	48
	21	4	00	02	59
	21	3	00	12	17
	21	1	00	12	83
खम्भमपाडु नम्बर 93	23	1	00	01	00
	22	4	00	21	04
	22	3	00	05	75
योग			04	89	14

[फा. सं. आर-11025(15)/1/2021-ओआर-1/ई-37744]

पी. सोमाकुमार, अवर सचिव

New Delhi, the 29th November, 2022

S.O. 1227.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. NO.4890(E) dated the 25th November, 2021 issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), published in the weekly Gazette of India Extraordinary No.4521, 29th November, 2021 the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to that notification for the purpose of laying Krishnapatnam - Hyderabad Pipeline for transportation of Petroleum products from Krishnapatnam (SPSR Nellore, Andhra Pradesh) to Madharam near Hyderabad (Ranga Reddy, Telangana) by Bharat Petroleum Corporation Limited;

And whereas copies of the said Gazette notification were made available to the public up to 31st January, 2022;

And whereas the competent authority has under sub-section (1) of Section 6 of the said Act submitted report to the Central Government;

And whereas the Central Government, after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire the right of user therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the land, specified in the Schedule appended to this notification is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of Section 6 of the said Act, the Central Government hereby directs that the right of user in the said land for laying the pipeline shall, instead of vesting in the Central Government, vest on the date of the publication of the declaration, in Bharat Petroleum Corporation Limited, free from all encumbrances.

Bharat Petroleum Corporation Limited shall be exclusively liable for any compensation in terms of Section 10 of the P & MP Act, 1962 and no suit, claim or legal proceeding would lie against the Central Government on any matter relating to the pipeline.

SCHEDULE

Mandal: Mundlamur	Revenue Division: Ongole	District: Prakasam	State: Andhra Pradesh		
1	2	3	4	5	6
Name of the Village	Survey No.	Sub-Divi- No.	Area		
			Hectare	Are	Sq.mtr.
Bhatlapalle No.93	296	1B	00	17	75
	296-Canal	1A	00	03	39
	295-Stream	--	00	07	83
	292-Canal	2	00	02	03
	292	4	00	10	31
	292	3	00	14	79
	292	1	00	16	14
	291	1	00	30	49
	289-Cart track	5	00	03	31
	289	1	00	28	12
	288	1C	00	07	87
	288	1B	00	07	83
	288	1A	00	13	83
	287	1A3	00	06	22
	287-Canal	1A2	00	03	85
	287	1A1	00	23	96
	279	2	00	22	98
	280	3	00	01	00
	280	1	00	34	53
	264-Cart track	6	00	01	08
	264	2	00	16	92
	265	4	00	20	14
	265	2	00	13	38
	265-Cart track	1	00	01	33
TOTAL			03	09	08
Khambhampadu No.93	127-Road	3	00	01	71
	127	3	00	22	07
	127	2	00	12	17
	130	--	00	16	75
	132	6	00	14	21
	132	5	00	18	29
	134	4	00	20	37
	137	1C	00	10	10
	137-Canal	1B	00	03	96
	137	1A	00	01	05
	135-Canal	3B	00	01	00
	135	7A	00	01	30
	135	6	00	09	51
	135	5	00	10	40

135-Cart track	1	00	01	95
120	4	00	06	10
120	2	00	09	44
120	1	00	07	26
119	--	00	21	99
88	7	00	10	53
88	5	00	06	46
88	4	00	08	92
88	2	00	16	43
88	1	00	01	17
114	8	00	01	00
114	4	00	06	92
114	1	00	16	61
115	2	00	01	00
112-Cart track	--	00	04	90
103	5	00	12	97
103	4	00	17	71
104	--	00	07	07
109	--	00	18	34
108	--	00	01	00
32	6	00	01	41
32	4	00	01	00
32	3	00	19	09
32	2	00	08	27
19	2	00	06	85
19	1	00	43	05
17	2	00	01	00
20	4	00	15	86
20	2	00	15	09
20	1	00	01	48
21	4	00	02	59
21	3	00	12	17
21	1	00	12	83
23	1	00	01	00
22	4	00	21	04
22	3	00	05	75
TOTAL		04	89	14

[F. No. R-11025(15)/1/2021-OR-1/E-37744]

P. SOMAKUMAR, Under Secy.

नई दिल्ली, 29 नवम्बर, 2022

का.आ. 1228.—केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोगकर्ता के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है कि धारा) की धारा 3 की उप-धारा (1), के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 4892 दिनांक 25 नवंबर, 2021 जो भारत के सामाहिक राजपत्र 29 नवंबर, 2021 में प्रकाशित की गई थी द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में कृष्णापटनम आंध्र प्रदेश से हैदराबाद तेलंगाना राज्य तक पेट्रोलियम उत्पादों के परिवहन के लिए कृष्णापटनम-हैदराबाद पाइपलाइन परियोजना के माध्यम से भारत पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन के अपने आशय की घोषणा की थी;

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को दिनांक 31 जनवरी, 2022 तक उपलब्ध करा दी गई थी;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उप-धारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात् और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिये अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है;

अतः अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाए;

और केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की दिनांक से केन्द्रीय सरकार में निहित होने की बजाए, सभी विल्लंगमों से मुक्त होकर भारत पेट्रोलियम कॉर्पोरेशन लिमिटेड में निहित होगी।

पेट्रोलियम और खनिज पाइपलाइन अधिनियम, 1962 की धारा 10 के अधीन किसी भी क्षतिपूर्ति के लिए भारत पेट्रोलियम कॉर्पोरेशन लिमिटेड पूर्णतया उत्तरदायी होगा और पाइपलाइन से सम्बन्धित किसी भी मामले पर केन्द्रीय सरकार के विरुद्ध कोई वाद, दावा या कानूनी कार्यवाही नहीं हो सकेगी।

अनुसूची

मंडल - चीमाकुरी			संभाग - ओंगोल		
जिला - प्रकाशम			राज्य - आंध्र प्रदेश		
1	2	3	4	5	6
गांव	सर्वे नंबर	सब-डिवी सं.	क्षेत्रफल		
			हेक्टेयर	एयर	वर्ग मीटर
चन्द्रापडु नं. 142	108-कच्चा रास्ता	6	00	01	07
	108	3	00	17	54
	108	2	00	24	42
	108	1	00	02	61
	106	8	00	18	89
	106	7	00	11	88
	106	6	00	15	67
	106-नहर	5	00	00	82
	104	3	00	14	31
	114	6	00	16	77
	114	2बी	00	06	02
	114	3सी	00	06	81
	114-नहर	2ए	00	04	48
	114-कच्चा रास्ता	1	00	01	62
	115	2	00	05	49
	116	1	00	28	66
	94	3सी	00	60	03
	93	4ए2	00	05	61
	93-नहर	4ए1	00	01	29
	92	10	00	01	94
	92	9	00	08	37

	92	8	00	08	37
	92	1	00	07	01
	90	3	00	45	90
	68	4	00	01	00
	90-कच्चा रास्ता	2	00	00	92
	68-कच्चा रास्ता	1	00	00	62
	90	1	00	01	00
	69	5	00	10	42
	58	6	00	20	16
	58	3	00	16	19
	58	2बी	00	11	30
	59	6सी	00	04	84
	59	5सी	00	01	00
	59-नहर	2बी	00	02	50
	59	6ए	00	01	00
	59	5ए	00	02	15
	54	2बी	00	02	26
	54	2ए	00	20	14
	54-कच्चा रास्ता	1	00	01	31
	53	1	00	12	26
	52	1	00	01	13
	48	1	00	02	69
	49	1	00	58	76
	45	2	00	02	59
	45-कच्चा रास्ता	1	00	01	11
TOTAL			04	90	93
रंगासायीपुरम नं. 132	82	2ए	00	08	25
	82	1ए	00	10	95
TOTAL			00	19	20
इल्पावलुरु नं. 131	253	2	00	12	05
	253	1	00	18	13
	254	1	00	44	47
	258	1	00	26	55
	257-नहर	7	00	00	07
	257	6	00	10	26
	257	5	00	07	38

	257	2	00	07	93
	257	3	00	02	35
	257	1	00	19	62
	235-सड़क	--	00	03	29
	233	2	00	01	00
	233	1	00	41	44
	239	--	00	11	90
	231	--	00	43	46
	230	--	00	04	62
	186-नाली	--	00	20	90
	185	3	00	01	00
	187	2ए	00	01	00
	188	3	00	38	56
	188	2	00	07	32
	188	1	00	15	67
	192	3	00	16	00
	191	1	00	09	83
	198	3बी	00	15	63
	198	3ए	00	06	77
	196	1	00	08	39
	197	--	00	23	49
	159-सड़क	3	00	02	67
	160	3	00	15	53
	150	3	00	23	07
	150-नहर	2	00	03	16
	150	1	00	24	40
	149	2	00	06	98
	149	1	00	17	88
	151	12	00	07	89
	151	11	00	06	37
	146	2सी	00	01	09
	151	10	00	01	16
	146	1सी	00	21	38
	141	2	00	06	14
	141	1सी	00	22	77
	141-नहर	1बी	00	02	64

	141	ए	00	01	15
	140-नहर	1बी	00	00	57
	140	1	00	17	83
	137	2	00	05	52
	138-कच्चा रास्ता	--	00	02	44
TOTAL			06	09	72

[फा. सं. आर-11025(15)/1/2021-ओआर-1/ई-37744]

पी. सोमाकुमार, अवर सचिव

New Delhi, the 29th November, 2022

S.O. 1228.—Whereas by a notification of the Government of India in the Ministry of Petroleum 2 and Natural Gas S.O. NO.4892(E) dated the 25th November, 2021 issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), published in the weekly Gazette of India Extraordinary No.4523, 29th November, 2021 the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to that notification for the purpose of laying Krishnapatnam - Hyderabad Pipeline for transportation of Petroleum products from Krishnapatnam (SPSR Nellore, Andhra Pradesh) to Madharam near Hyderabad (Ranga Reddy, Telangana) by Bharat Petroleum Corporation Limited;

And whereas copies of the said Gazette notification were made available to the public up to 31st January, 2022;

And whereas the competent authority has under sub-section (1) of Section 6 of the said Act submitted report to the Central Government;

And whereas the Central Government, after considering the said report and on being satisfied that the said land is required for laying the pipeline, has decided to acquire the right of user therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the land, specified in the Schedule appended to this notification is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of Section 6 of the said Act, the Central Government hereby directs that the right of user in the said land for laying the pipeline shall, instead of vesting in the Central Government, vest on the date of the publication of the declaration, in Bharat Petroleum Corporation Limited, free from all encumbrances.

Bharat Petroleum Corporation Limited shall be exclusively liable for any compensation in terms of Section 10 of the P & MP Act, 1962 and no suit, claim or legal proceeding would lie against the Central Government on any matter relating to the pipeline.

SCHEDULE

Mandal: Chimakurthy			Revenue Division: Ongole		
District: Prakasam			State: Andhra Pradesh		
1	2	3	4	5	6
Name of the Village	Survey No.	Sub-Divi- No.	Area		
			Hectare	Are	Sq.mtr.
Chandrapadu No.142	108-Cart Track	6	00	01	07
	108	3	00	17	54
	108	2	00	24	42
	108	1	00	02	61
	106	8	00	18	89
	106	7	00	11	88
	106	6	00	15	67
	106-Canal	5	00	00	82
	104	3	00	14	31
	114	6	00	16	77
	114	2B	00	06	02
	114	3C	00	06	81

	114-Canal	2A	00	04	48
	114-Cart Track	1	00	01	62
	115	2	00	05	49
	116	1	00	28	66
	94	3C	00	60	03
	93	4A2	00	05	61
	93-Canal	4A1	00	01	29
	92	10	00	01	94
	92	9	00	08	37
	92	8	00	08	37
	92	1	00	07	01
	90	3	00	45	90
	68	4	00	01	00
	90-Cart Track	2	00	00	92
	68-Cart Track	1	00	00	62
	90	1	00	01	00
	69	5	00	10	42
	58	6	00	20	16
	58	3	00	16	19
	58	2B	00	11	30
	59	6C	00	04	84
	59	5C	00	01	00
	59-Canal	2B	00	02	50
	59	6A	00	01	00
	59	5A	00	02	15
	54	2B	00	02	26
	54	2A	00	20	14
	54-Cart Track	1	00	01	31
	53	1	00	12	26
	52	1	00	01	13
	48	1	00	02	69
	49	1	00	58	76
	45	2	00	02	59
	45-Cart Track	1	00	01	11
TOTAL			04	90	93
Rangasayipuram No.132	82	2A	00	08	25
	82	1A	00	10	95
TOTAL			00	19	20
Ilapavuluru No.131	253	2	00	12	05
	253	1	00	18	13
	254	1	00	44	47
	258	1	00	26	55
	257-Canal	7	00	00	07
	257	6	00	10	26
	257	5	00	07	38
	257	2	00	07	93
	257	3	00	02	35
	257	1	00	19	62
	235-Road	--	00	03	29
	233	2	00	01	00

	233	1	00	41	44
	239	--	00	11	90
	231	--	00	43	46
	230	--	00	04	62
	186-Stream	--	00	20	90
	185	3	00	01	00
	187	2A	00	01	00
	188	3	00	38	56
	188	2	00	07	32
	188	1	00	15	67
	192	3	00	16	00
	191	1	00	09	83
	198	3B	00	15	63
	198	3A	00	06	77
	196	1	00	08	39
	197	--	00	23	49
	159-Road	3	00	02	67
	160	3	00	15	53
	150	3	00	23	07
	150-Canal	2	00	03	16
	150	1	00	24	40
	149	2	00	06	98
	149	1	00	17	88
	151	12	00	07	89
	151	11	00	06	37
	146	2C	00	01	09
	151	10	00	01	16
	146	1C	00	21	38
	141	2	00	06	14
	141	1C	00	22	77
	141-Canal	1B	00	02	64
	141	A	00	01	15
	140-Canal	1B	00	00	57
	140	1	00	17	83
	137	2	00	05	52
	138-Cart track	--	00	02	44
TOTAL			06	09	72

[F. No. R-11025(15)/1/2021-OR-1/E-37744]

P. SOMAKUMAR, Under Secy.

नई दिल्ली, 1 दिसम्बर, 2022

का.आ. 1229.—केन्द्रीय सरकार को ऐसा प्रतीत होता है कि लोकहित में यह आवश्यक है कि तेलंगाण राज्य में पेट्रोलियम पदार्थों के परिवहन के लिए "क्रिष्णपटनम-हैदराबाद पेट्रोलियम & पेट्रोलियम प्रोडक्ट्स पाइपलाइन परियोजना" के क्रियान्वयन हेतु भारत पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाई जानी चाहिए।

और केन्द्रीय सरकार को ऐसी पाइपलाइन बिछाने के प्रयोजन के लिए आवश्यक प्रतीत होता है कि ऐसी भूमि में जो इससे उपाबद्ध अनुसूची में वर्णित है, और जिसमें उक्त पाइपलाइन बिछाई जाने का प्रस्ताव है, उपयोग के अधिकार का अर्जन किया जाए;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उस भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको इस अधिसूचना में युक्त भारत के राजपत्र की प्रतियां साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर, भूमि के नीचे पाइपलाइन बिछाए जाने के लिए उसमें उपयोग के अधिकार के संबन्ध में तेलंगाण राज्य के लिए सक्षम प्राधिकारी, "कृष्णपट्टनम - हैदराबाद पेट्रोएलूम & पेट्रोलियम प्रोडक्ट्स पाइपलाइन परियोजना" भारत पेट्रोलियम कॉर्पोरेशन लिमिटेड (बीपीसीएल), मकान संख्या 8-2-293/82/A/264-A, पहला तल, रोड नं 10, जुबली हिल्स हैदराबाद, तेलंगाण - 500033, को लिखित पश्चिमी क्षेत्र पाइपलाइन्स प्रोजेक्ट्स को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

मंडल- चिटयाला	जिला:- नलगोंडा		राज्य:- तेलंगाण		
मौजा / ग्राम	सर्वे नंबर	सब-डीव सं.	क्षेत्रफल		
			हेक्टेयर	आरे	वर्ग मीटर
1	2	3	4	5	6
तल्ला वेल्लेमला	233	-	00	16	12
	234	-	00	34	84
	272	-	00	52	47
	270	-	00	33	18
	रोड	-	00	03	70
	269	-	00	36	30
	276	-	00	09	36
	267	-	00	46	12
	266	-	00	40	60
	265	-	00	13	92

[फा. सं. आर-11025(15)/2/2020-ओआर-1/ई-33881]

पी. सोमाकुमार, अवर सचिव

New Delhi, the 1st December, 2022

S.O. 1229.—Whereas, it appears to the Central Government of Petroleum Products, that it is necessary in the public interest that for the transportation of Petroleum Products Pipeline Originating from Krishnapatnam to Hyderabad. Should be laid in the state of Telangana by Bharat Petroleum Corporation Limited.

And, whereas, it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the right of user in the land under which the said pipeline is proposed to be laid, and which is described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person who is interested in the land described in the said Schedule may within twenty one days from the date on which the copies of this notification issued under sub – section (1) of Section 3 of the said Act, as published in the gazette of India, or made available to the general public. Object to the acquisition of the Right of the users therein for earthening the pipe line under the land in the State of Telangana by BPCL. In writing to the Competent Authority, Krishnapatnam - Hyderabad Pipeline Project Bharat Petroleum Corporation limited, House No. 8-2-293/82/A/264-A, First Floor, Above Canara Bank, Road No. 10, Jubilee Hills, and Hyderabad -500033.

SCHEDULE

Mandal :- Chityala	District:- Nalgonda		State :- Telangana		
Mouja / Village	Survey No.	Sub-Division No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
Talla vellemla	233	-	00	16	12
	234	-	00	34	84
	272	-	00	52	47
	270	-	00	33	18
	Asphalted Road	-	00	03	70
	269	-	00	36	30
	276	-	00	09	36
	267	-	00	46	12
	266	-	00	40	60
	265	-	00	13	92

[F. No. R-11025(15)/2/2020-OR-1/E-33881]

P. SOMAKUMAR, Under Secy.

नई दिल्ली, 1 दिसम्बर, 2022

का.आ. 1230.—केन्द्रीय सरकार को ऐसा प्रतीत होता है कि लोकहित में यह आवश्यक है कि तेलंगाण राज्य में पेट्रोलियम पदार्थों के परिवहन के लिए "कृष्णपट्टनम – हैदराबाद पेट्रोलियम & पेट्रोलियम प्रोडक्ट्स पाइपलाइन परियोजना" के क्रियान्वयन हेतु भारत पेट्रोलियम कॉर्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाई जानी चाहिए।

और केन्द्रीय सरकार को ऐसी पाइपलाइन बिछाने के प्रयोजन के लिए आवश्यक प्रतीत होता है कि ऐसी भूमि में जो इससे उपाबद्ध अनुसूची में वर्णित है, और जिसमें उक्त पाइपलाइन बिछाई जाने का प्रस्ताव है, उपयोग के अधिकार का अर्जन किया जाए;

अतः अब, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उस भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है;

कोई व्यक्ति, जो उक्त अनुसूची में वर्णित भूमि में हितबद्ध है, उस तारीख से जिसको इस अधिसूचना में युक्त भारत के राजपत्र की प्रतियां साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर, भूमि के नीचे पाइपलाइन बिछाए जाने के लिए उसमें उपयोग के अधिकार के संबन्ध में तेलंगाण राज्य के लिए सक्षम प्राधिकारी, "कृष्णपट्टनम – हैदराबाद पेट्रोएलुम & पेट्रोलियम प्रोडक्ट्स पाइपलाइन परियोजना" भारत पेट्रोलियम कॉर्पोरेशन लिमिटेड (बीपीसीएल), मकान संख्या 8-2-293/82/A/264-A, पहला तल, रोड नं 10, जुबली हिल्स हैदराबाद, तेलंगाण – 500033, को लिखित पश्चिमी क्षेत्र पाइपलाइन्स प्रोजेक्ट्स को लिखित रूप में आक्षेप भेज सकेगा।

अनुसूची

मंडल- नारायणपुर	जिला:- यदाद्री भोंगीर		राज्य:- तेलंगाण		
मौजा / ग्राम	सर्वे नंबर	सब-डीव सं.	क्षेत्रफल		
			हेक्टेयर	आरे	वर्ग मीटर
1	2	3	4	5	6
गुज्जा	92	-	00	31	65
	93	-	00	03	01

	87	-	00	02	47
	88	-	00	40	55
	86	-	00	35	91
	82	-	00	19	17
	79	-	00	56	53
	65	-	00	04	35
	64	-	00	27	06
	63	-	00	35	82
	62	-	00	57	27
	61	-	00	38	21
	रोड	-	00	01	26
	324	-	00	34	02
	323	-	00	38	97
	320	-	00	44	64
	318	-	00	18	10
सरवैल	458	-	00	44	67
	455	-	00	07	89
	नाला	-	00	03	71
	465	-	00	16	08
	466	-	00	63	18
	467	-	00	46	98
	रोड	-	00	01	38
	364	-	00	49	50
	363	-	00	31	14
	रोड	-	00	02	26
	362	-	00	25	38
	360	-	00	57	68
	नाला	-	00	08	47
	515	-	00	28	66
	516	-	00	35	38
	518	-	00	04	70
	517	-	00	43	48
	311	-	00	90	36
	285	-	00	57	96
	284	-	00	41	13
	283	-	00	26	37
	कच्चा रास्ता	-	00	02	01

	276	-	00	36	87
	274	-	00	29	12
	275	-	00	34	92
	नाला	-	00	04	02
	186	-	00	77	50
	रोड	-	00	01	39
	नहेर	-	00	02	82
	162	-	00	01	92
	161	-	00	13	10
	159	-	00	11	25
	160	-	00	18	72
	156	-	00	44	10
	157	-	00	58	48
	रोड	-	00	01	94
	130	-	00	01	10
	131	-	00	51	48
	126	-	00	37	98
	डिस्ट्रिक्ट रोड	-	00	03	42
	124	-	00	23	58
	123	-	00	07	02
	110	-	00	00	58
	120	-	00	66	68
	119	-	00	31	30
चिमिरयाला	167	-	00	46	76
	168	-	00	10	67
	रोड	-	00	02	72
	154	-	00	04	30
	153	-	00	67	92
	152	-	00	19	51
	नाला	-	00	16	38
	151	-	00	09	90
	150	-	00	35	64
	148	-	00	34	27
	147	-	00	23	51
	145	-	00	36	99
	146	-	00	25	20
	140	-	00	29	18

	डिस्ट्रिक्ट रोड	-	00	04	41
	139	-	00	08	47
	138	-	00	34	73
	135	-	00	63	09
गुड्डी मलकापुरम	नाला	-	00	03	69
	54	-	00	17	10
	57	-	00	34	74
	60	-	00	44	82
	नाला	-	00	03	74
	58	-	00	01	63
	59	-	00	60	16
मोहम्मदाबाद	278	-	00	10	35
	266	-	00	89	30
	276	-	00	40	03
	269	-	00	51	30
	268	-	00	17	70
	267	-	00	43	90
	259	-	00	03	95
	265	-	00	15	93
	264	-	00	17	31
	263	-	00	47	78

[फा. सं. आर-11025(15)/2/2020-ओआर-1/ई-33881]

पी. सोमाकुमार, अवर सचिव

New Delhi, the 1st December, 2022

S.O. 1230.—Whereas, it appears to the Central Government of Petroleum Products, that it is necessary in the public interest that for the transportation of Petroleum Products Pipeline Originating from Krishnapatnam to Hyderabad. Should be laid in the state of Telangana by Bharat Petroleum Corporation Limited.

And, whereas, it appears to the Central Government that for the purpose of laying the said pipeline, it is necessary to acquire the right of user in the land under which the said pipeline is proposed to be laid, and which is described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person who is interested in the land described in the said Schedule may within twenty one days from the date on which the copies of this notification issued under sub – section (1) of Section 3 of the said Act, as published in the gazette of India, or made available to the general public. Object to the acquisition of the Right of the users therein for earthening the pipe line under the land in the State of Telangana by BPCL. In writing to the Competent Authority, Krishnapatnam - Hyderabad Pipeline Project Bharat Petroleum Corporation limited, House No. 8-2-293/82/A/264-A, First Floor, Above Canara Bank, Road No. 10, Jubilee Hills, and Hyderabad -500033.

SCHEDULE

Mandal :- Narayanapur	District:- Yadadri Bhongir		State :- Telangana		
Mouja / Village	Survey No.	Sub-Division No.	Area		
			Hectare	Are	Sq.mtr.
1	2	3	4	5	6
Gujja	92	-	00	31	65
	93	-	00	03	01
	87	-	00	02	47
	88	-	00	40	55
	86	-	00	35	91
	82	-	00	19	17
	79	-	00	56	53
	65	-	00	04	35
	64	-	00	27	06
	63	-	00	35	82
	62	-	00	57	27
	61	-	00	38	21
	Road	-	00	01	26
	324	-	00	34	02
	323	-	00	38	97
	320	-	00	44	64
	318	-	00	18	10
Sarvail	458	-	00	44	67
	455	-	00	07	89
	Nala	-	00	03	71
	465	-	00	16	08
	466	-	00	63	18
	467	-	00	46	98
	Road	-	00	01	38
	364	-	00	49	50
	363	-	00	31	14
	Asphalted Road	-	00	02	26
	362	-	00	25	38
	360	-	00	57	68
	Nala	-	00	08	47
	515	-	00	28	66
	516	-	00	35	38
	518	-	00	04	70
	517	-	00	43	48
	311	-	00	90	36
	285	-	00	57	96
	284	-	00	41	13
	283	-	00	26	37
	Cart Track	-	00	02	01
	276	-	00	36	87
	274	-	00	29	12
	275	-	00	34	92
	Nala	-	00	04	02
	186	-	00	77	50
	Road	-	00	01	39

	Canal	-	00	02	82
	162	-	00	01	92
	161	-	00	13	10
	159	-	00	11	25
	160	-	00	18	72
	156	-	00	44	10
	157	-	00	58	48
	Road	-	00	01	94
	130	-	00	01	10
	131	-	00	51	48
	126	-	00	37	98
	District Road	-	00	03	42
	124	-	00	23	58
	123	-	00	07	02
	110	-	00	00	58
	120	-	00	66	68
	119	-	00	31	30
Chimiriya	167	-	00	46	76
	168	-	00	10	67
	Road	-	00	02	72
	154	-	00	04	30
	153	-	00	67	92
	152	-	00	19	51
	Nala	-	00	16	38
	151	-	00	09	90
	150	-	00	35	64
	148	-	00	34	27
	147	-	00	23	51
	145	-	00	36	99
	146	-	00	25	20
	140	-	00	29	18
	District Road	-	00	04	41
	139	-	00	08	47
	138	-	00	34	73
	135	-	00	63	09
Guddimalkapuram	Nala	-	00	03	69
	54	-	00	17	10
	57	-	00	34	74
	60	-	00	44	82
	Nala	-	00	03	74
	58	-	00	01	63
	59	-	00	60	16
Mahammadbad	278	-	00	10	35
	266	-	00	89	30
	276	-	00	40	03
	269	-	00	51	30
	268	-	00	17	70
	267	-	00	43	90
	259	-	00	03	95
	265	-	00	15	93
	264	-	00	17	31
	263	-	00	47	78

श्रम और रोजगार मंत्रालय

नई दिल्ली, 30 नवम्बर, 2022

का.आ. 1231.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मुख्य कार्यकारी अधिकारी, छावनी परिषद, कानपुर छावनी, कानपुर नगर ; प्रबंधक, मैसर्स पाथेया डिटेक्टिव एंड सिक्योरिटी सर्विसेज, नई दिल्ली के प्रबंधन के संबद्ध नियोजकों और राष्ट्रीय अध्यक्ष, अखिल भारतीय सफाई मजदूर संघ, कच्छ, (गुजरात), के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, कानपुर के पंचाट (संदर्भ सं. 142 of 2019) को जैसा कि अनुलग्नक में दिखाया गया है, प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 27.10.2022 को प्राप्त हुआ था।

[सं. एल- 42011/52/2019- आईआर(डीयू)]

डी.के. हिमांशु, अवर सचिव

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 30th November, 2022

S.O. 1231.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 142 of 2019) of the Central Government Industrial Tribunal cum Labour Court – Kanpur, as shown in the Annexure, in the Industrial dispute between the employers in relation to The Chief Executive Officer, Cantonment Board, Kanpur Cantt. Kanpur Nagar; The Manager, M/s Patheya Detective and Security Services, New Delhi and The National President, Akhil Bhartiya Safai Mazdoor Sangh, Kachh, (Gujarat), which was received along with soft copy of the award by the Central Government on 27.10.2022.

[No. L- 42011/52/2019-IR(DU)]

D.K. HIMANSHU, Under Secy.

ANNEXURE**BEFORE SHRI SOMA SHEKHAR JENA, PRESIDING OFFICER CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT KANPUR****Present:** Soma Shekhar Jena HJS (Retd.)**I.D. No. 142 of 2019****No. L-42011/52/2019-IR(DU) dated 03.06.2019****BETWEEN**

The National President,
Akhil Bhartiya Safai Mazdoor Sangh,
A-157, Shaktinagar, Gandhidham, Kachh,
Gujarat-370201

AND

1. The Chief Executive Officer,
Cantonment Board, Kanpur Cantt.
Kanpur Nagar-208004
2. The Manager,
M/s Patheya Detective and Security Services,
C-93, Mahavir Vihar, Sec-1, Dwarka,
New Delhi-110045

AWARD

This award arises in respect of the reference mentioned in the schedule stated below as received from the Government of India, Ministry of Labour in letter No. L-42011/52/2019-IR (DU) dated 03.06.2019

SCHEDULE

1. **‘Whether the action of the management of Cantonment Board, Kanpur/ M/s. Patheya Detective and Security Services in terminating the services of Sh. Veerendra Kumar and 86 others as per Annexure-A of their representative dated 23.05.2018 due to paucity of budget is just, fair and legal? if not, whether these workers are eligible for**

their reengagement if demand raised by Military Headquarter ? If not, to what relief and in what way these workers are entitled to?’

On receipt of notification, notices were issued to both the parties on 09th July 2019 fixing 30.07.2019 for filing of statement of claim. But none appeared on behalf of claimant workman though on the behalf of O.P. management Authorised Representative filed authority letter on the date fixed.

On perusal of the record it is found that though several dates were fixed for filing the statement of claim none appeared on behalf of the claimant workman before this Tribunal. Despite giving ample opportunities to the claimant union for submitting statement of claim; the union failed to present the case before the Tribunal. On 28.09.2022 the case was reserved for final award for non-appearance of the workers' union.

From the aforesaid circumstances it is presumable that the claimant workman and the union are not interested in prosecuting the case further before the Tribunal.

Hence in the given circumstances the reference stands disposed of as of 'NIL' award.

Parties are left to bear their respective costs.

Date: 14.10.2022

SOMA SHEKHAR JENA, Presiding Officer

नई दिल्ली, 30 नवम्बर, 2022

का.आ. 1232.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार प्रबंध निदेशक, मैसर्स हिंदुस्तान फ्लोरोकार्बन लिमिटेड, बशीरबाग, हैदराबाद, के प्रबंधतंत्र के संबद्ध नियोजकों और महासचिव, हिंदुस्तान फ्लोरोकार्बन लिमिटेड, कैजुअल वर्कर्स यूनियन, सी/ओ एम/एस हिंदुस्तान फ्लोरोकार्बन लिमिटेड, बशीरबाग, हैदराबाद, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण- सह-श्रम न्यायालय-हैदराबाद के पंचाट (संदर्भ सं. 250/2014) को जैसा कि अनुलग्नक में दिखाया गया है, प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 15.11.2022 को प्राप्त हुआ था।

[सं. एल -42011/102/2014-आईआर(डीयू)]

डी.के. हिमांशु, अवर सचिव

New Delhi, the 30th November, 2022

S.O. 1232.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 250/2014) of the Central Government Industrial Tribunal cum Labour Court – Hyderabad as shown in the Annexure, in the Industrial dispute between the employers in relation to The Managing Director, M/s Hindustan Fluorocarbons Limited, Basheerbagh, Hyderabad and The General Secretary, Hindustan Fluorocarbons Ltd., Casual Workers Union, C/o M/s Hindustan Fluorocarbons Ltd., Basheerbagh, Hyderabad, which was received along with soft copy of the award by the Central Government on 15.11.2022.

[No. L-42011/102/2014-IR (DU)]

D.K. HIMANSHU, Under Secy.

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL -CUM -LABOUR COURT AT HYDERABAD

Present: SRI IRFAN QAMAR Presiding Officer

Dated the 26th day of October, 2022

INDUSTRIAL DISPUTE No. 250/2014

BETWEEN:

The General Secretary,
Hindustan Fluorocarbons Ltd., Casual Workers
Union, C/o M/s Hindustan Fluorocarbons Ltd.,
1402, Babukhan Estate, Basheerbagh,
Hyderabad – 500 001

.... Petitioner

AND

The Managing Director,
M/s Hindustan Fluorocarbons Limited,
1402, Babukhan Estate, Basheerbagh,
Hyderabad – 500 001.

... Respondent

Appearances:

For the Petitioner : M/s. A.K. Jayaprakash Rao, M.Govind & Venkatesh Dixit, Advocates

For the Respondent : Sri Y. Venkateshwarlu, Advocate

AWARD

The Government of India, Ministry of Labour by its order No. L- 42011/102/2014-IR(DU) dated 27.11.2014 referred the following dispute under section 10(1)(d) of the I.D. Act, 1947 requiring this forum to decide the question:

SCHEDULE

“Whether the action of the management of M/s. Fluorocarbons Limited, Hyderabad by refusing to regularize 27 casual workers (as per annexure-II) is legal, fair and justified? If not, to what relief the concerned workmen are entitled to?”

2. On receipt of the reference this Tribunal has registered and numbered the reference as I.D. No. 250/2014 and issued notices to both the workman and the management. Learned Counsel for the Petitioner union appeared before the court. Respondent did not appear before the court, hence, set ex-parte vide order dated 21.12.2017. Subsequently, the Petitioner union adduced evidence, and advanced arguments. Further, an ex-parte award was passed vide order dated 11.7.2019 and notified in the Gazette of India vide notification dated 2.8.2019.

2. Respondent filed petition to set aside the ex-parte award dated 11.7.2019 which was allowed by this Tribunal vide order dated 23.9.2022, as such the present ID 250/2014 is restored.

3. At this juncture, Petitioner and Respondent counsels filed a joint memo with the fact that in the reference there were 27 casual workers and out of 27 casual workers 7 casual workers detailed below are believed to be dead and that their family members identity is not known.

1.	N. Hemala	Token No.100019	Sl.No.5 of ID reference
2	P. Anjaiah	Token No.100056	Sl.No.13 of ID reference
3	N. Hema	Token No.100064	Sl.No.14 of ID reference
4	N. Namla	Token No.100081	Sl.No.20 of ID reference
5	V. Somla	Token No.100082	Sl.No.21 of ID reference
6	V. Ramulu	Token No.100083	Sl.No.22 of ID reference
7	R. Hobaiah	Token No.100084	Sl.No.23 of ID reference

4. It is further submitted by the Learned Counsel for both the parties that due to non-availability of proper succession documents and for want of certificate of LRS of deceased claimants, they could not be substituted on record in place of deceased claimants. Therefore, in view of the said circumstances, they are praying for abatement of the matter of above mentioned seven casual deceased and to pass the order regarding rest of 20 casual workers. To that effect both parties filed a joint memo dated 23.9.2022. It was also stated therein that during proceeding of the reference, both the parties have arrived at settlement in the present matter and prayed to award the reference as per settlement order.

5. Heard both sides. In view of the statement of both parties, the reference with regard to above mentioned 7 deceased claimants is abated since their LR's are not substituted as per rules within the stipulated time and the dispute does not remain survive regarding deceased claimants.

6. In view of the settlement arrived at between the parties, the joint memo dated 23.9.2022 is allowed and accepted. The case is closed as settled.

The reference is answered accordingly. Transmit.

Typed to my dictation by Smt. P. Phani Gowri, Personal Assistant transcribed by her and corrected by me on this the 26th day of October, 2022.

IRFAN QAMAR, Presiding Officers

Appendix of Evidence

Witnesses examined for the
Petitioner

Witnesses examined for the
Respondent

WW1: Sri M. Arjun

NIL

Documents marked for the Petitioner

Ex.W1: Original pay slips of workers (Pg. No.1 to 41)

Ex.W2: Photostat copies of Employment Exchange card (pg. No.42 to 48)

Ex.W3: Photostat copies of certificate of land acquired by the government and given to the Respondent (Pg. No.49 to 53)

Documents marked for the Respondent

NIL

नई दिल्ली, 30 नवम्बर, 2022

का.आ. 1233.—औद्योगिक विवाद अधिनियम (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार महाप्रबंधक, कंबोडिया मिल्स, कोयंबटूर,; उप महाप्रबंधक (एचआर) नेशनल टेक्स्टाइल कॉर्पोरेशन लिमिटेड कोयंबटूर, के प्रबंधन के संबद्ध नियोजकों और महासचिव, कोयंबटूर और पेरियार जिला द्रविड़ पंचलाई, रामनाथपुरम, कोयंबटूर, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक न्यायाधिकरण सह श्रम न्यायालय और ईपीएफ अपील न्यायाधिकरण-चेन्नई के पंचाट (संदर्भ सं. 150/2019) को जैसा कि अनुलग्नक में दिखाया गया है, प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 15.11.2022 को प्राप्त हुआ था।

[सं. एल-42011/154/2019-आईआर(डीयू)]

डी.के. हिमांशु, अवर सचिव

New Delhi, the 30th November, 2022

S.O. 1233.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 150/2019) of the Central Government Industrial Tribunal cum Labour Court & EPF Appellate Tribunal—Chennai as shown in the Annexure, in the Industrial dispute between the employers in relation to The General Manager, Cambodia Mills, Coimbatore, The Deputy General Manager (HR) National Textile Corporation Ltd. Coimbatore and The General Secretary, Coimbatore & Periyar Distt Dravida Panchalai Ramanathapuram, Coimbatore, which was received along with soft copy of the award by the Central Government on 15.11.2022.

[No. L-42011/154/2019-IR (DU)]

D.K. HIMANSHU, Under Secy.

**ANNEXURE
BEFORE THE CGIT-CUM-LABOUR COURT & EPF APPELLATE TRIBUNAL
CHENNAI**

Present: DIPTI MOHAPATRA, LL.M. Presiding officer

I.D. No. 150/2019

Wednesday, the 29th June, 2022

BETWEEN

The General Secretary
Coimbatore & Periyar Distt Dravida Panchalai
134/158, Pankaja Mills Colony
Ramanathapuram
Coimbatore-641045

... 1st Party/Petitioner Union

AND

1. The General Manager
Cambodia Mills
Post Box No. 3504
Ondipudur
Coimbatore-641016

... 2nd Party/1st Respondent

2. The Deputy General Manager (HR)
National Textile Corporation Ltd.
NTC House, PO Box No. 2409, 35-B
Somasundaram Mills Road
Coimbatore-641009

: 2nd Party/2nd Respondent

Appearance

For the 1st Party/Petitioner : None

For the 1st & 2nd Party Respondent : Advocates, M/s T.S. Gopalan & Co.

AWARD

The Central Government, Ministry of Labour & Employment vide its Order No. L-42011/154/2019-IR(DU) dtd. 09.12.2019 referred the following Industrial Dispute to this Tribunal for adjudication.

The schedule mentioned in that order is:

“Whether the action of the management of Cambodia Mills, an Unit of National Textile Corporation Ltd. in denying promotion to Sri K. Palanisamy, Ticket No. 140 Simplex Tenter to higher grade is legal and justified? If not, to what relief the concerned workman is entitled?”

2. On receipt of the above reference from the appropriate Government, the dispute on reference is registered as ID No. 150/2019 and due notices were issued to both the parties for their appearance fixing the case to 20.02.2020. None of the parties appeared. The case was posted to several dates i.e. to 19.03.2020, 01.05.2020, 19.08.2020 and 16.11.2020. Neither Sri K. Palanisamy himself nor the General Secretary of the First Party Union appeared. Without resorting to any coercive action against the First Party Petitioner's Union, the Tribunal viewed sympathetically and sou-moto afforded adjournments (almost 5) in the year 2021 considering the prevailed tough situation of Pandemic COVID-19, The General Secretary of the First party Union did not turn up. Not a single petition was filed for adjournment. However for the ends of justice, the First party Union was afforded with some more opportunities by re-listing the case on 04.01.2022 and 03.02.2022. None on behalf First party Union nor Authorized Representative appeared or filed the Claim Statement.

3. As such in view of the discussion held in preceding paragraphs it appears the First Party Union is not interested to proceed with the case. The case is simply dragged to an extent of almost 3 years only due to non-cooperation of the First Party Union by not appearing and participating in the proceeding. This Tribunal is constrained to conclude the proceeding as it seems there exists no dispute in between the parties for adjudication as per the reference.

In the result the ID case stands dismissed.

An award is passed accordingly.

DIPTI MOHAPATRA, Presiding Officer

नई दिल्ली, 30 नवम्बर, 2022

का.आ. 1234.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार प्रबंध निदेशक, स्कूटर इंडिया लिमिटेड, सरोजिनी नगर, लखनऊ के प्रबंधतंत्र के संबद्ध नियोजकों और श्री दिनेश कुमार, और 54 अन्य, कामगार, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं

श्रम न्यायालय, कानपुर के पंचाट (संदर्भ सं. 155/2019) को जैसा कि अनुलग्नक में दिखाया गया है, प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 09.11.2022 को प्राप्त हुआ था।

[सं. एल- 42011/115/2019- आईआर(डीयू)]

डी.के. हिमांशु, अवर सचिव

New Delhi, the 30th November, 2022

S.O. 1234.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 155/2019) of the Central Government Industrial Tribunal cum Labour Court – Kanpur, as shown in the Annexure, in the Industrial dispute between the employers in relation to The Managing Director, Scooter India Ltd., Sarojini Nagar, Lucknow and Shri Dinesh Kumar, & 54 others, worker which was received along with soft copy of the award by the Central Government on 09.11.2022.

[No. L- 42011/115/2019-IR(DU)]

D.K. HIMANSHU, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL—CUM-LABOUR COURT KANPUR

Present: Soma Shekhar Jena Hjs (Retd.)

I.D. No. 155/2019

Ref. No. L-42011/115/2019-IR(DU) dated: 26.08.2019

BETWEEN

Sh. Dinesh Kumar, & 54 others,
Scooter India Ltd., Sarojini Nagar,
Lucknow -226008

AND

The Managing Director,
Scooter India Ltd., Sarojini Nagar,
Lucknow – 226008

AWARD

This award arises out of the Industrial Dispute referred this Tribunal by notification no. L-42011/115/2019-IR(DU) dated 26/08/2019 issued by the Government of India Ministry of Labour and Employment for adjudication. The reference received in this Tribunal is stated under the schedule below:

SCHEDULE

“Whether the action of management of Scooters India Limited for keeping casual labourer Sh. Dinesh Kumar and 54 others (as per annexure-I) who were appointed against the permanent vacancies and performing as permanent workers but their services were kept on contract agreement on renewal against the spirit of certified standing order applicable upon the management of Scooters India Limited are just, fair and legal and(2) Whether these workmen are entitled to equal scale at par with the regular employees of the same category, besides their regularization. If not, to what relief these workmen are entitled to and from which date”.

After receiving the reference notices were issued to the concerned parties, the claimants workmen namely Dinesh Kumar, Lallan Singh, Satyabrata Yadav, Ram Singh Yadav, Raghvendra Kumar Pal claiming to be the representatives of the workmen filed the statement of claim with averments which is stated below in a summarized manner: It is averred by the claimants workmen that they have successfully completed their training under the O.P. management. It is averred that the management had given assurance that the claimants would be absorbed after short period but the management resiled from the assurance given by the management following unfair labour practice the workmen were deprived of getting benefits payable to regular and permanent employees and the management took work from claimants workers as casual workers. It is stated that the O.P.

management engaged the claimants as casual workers for long 13 years and treated them as contractual workmen issuing appointment letters year by year. It is submitted that the certified standing orders which are binding on the O.P. have no provision of the kind of employment of casual workmen. It is specifically submitted that the claimants workmen were getting 18000/- per month whereas their counter parts were allowed to draw scale of pay Rs. 9050-29000 of the scale Rs. 8600-27000 and other perquisites w.e.f. 01/01/2007 and the wages of those allowed on graded pay amounted to Rs. 40,000/- per month. The claimants workmen have claimed that they fall in the category of high skilled workmen concerning their duties and constituted essential work post of the establishment. Alleging unfair labour practice adopted by the O.P. management claimants workmen have prayed for absorbing them on permanent with regular scale of pay of artisans A & B Rs. 8600-27000 and Rs. 8200-25200 w.e.f. 01/01/2007 with other consequential relief.

Per contra written statement has been filed by the O.P. management which may be concisely stated as follows:

The Industrial Dispute raised before this Tribunal is unsustainable on the ground that the claimants are not legally authorized to raise the dispute. It is further stated that the industry of the O.P. is on closure process by a resolution dated 28/11/2019 in tune with subsequent notification F.No. 3(1)/2020-PE-VI Dated 28.01.2021. It is further stated that claimants were on engagement for contractual period and after the contract period their service has not been extended in the establishment and they cannot be declared as permanent employees. Indirectly the O.P. side has taken the stand that the termination of the claimants cannot be equated as retrenchment.

In the rejoinder the claimants workman have reiterated their prayer and their averments made in the statement of claim.

The following points are to be answered for adjudication of the Industrial Dispute:

1. Whether claimants workmen are legally entitled for absorption on permanent post in Scooter India Ltd. (herein after stated in short as the SIL).
2. To what relief the claimants workmen are entitled.

In course of argument it was submitted on behalf of the O.P. side that the establishment is on closing stage. In other words it is submitted on behalf of the O.P. side that Scooters India Limited could not thrive in the present stage of competitive business and such a decision had already been taken by the Government of India for closing the establishment (letter dated 28/01/2020). It is further submitted on behalf of the O.P. side that the closure process has been started in November 2019 and as such the whole litigation is afterthought. Against such contention adverted by the O.P. management it is stated on behalf of the claimant side that no formal closure proceeding under section 25-O of the Industrial Disputes Act has been initiated and no document in support of sickness of the establishment has been proved. It may be correct that SIL is already one sick industrial establishment and presumably, such establishment being in state of utter irrecoverable industrial sickness the Central Government has taken a decision for winding up the establishment as found in letter no. 3(1)/2020-PE-VI dated 28/01/2021. It may be correct that no notice of 90 days as enshrined in section 25-O of the Industrial Disputes Act, 1947 has been issued by the employer side but for non compliance of the provision contained in section 25-O the closure may be declared as illegal which is beyond the purview of the reference proceeding. Be that as it may, looking at the realities as found from the record the Scooters India Limited has already gone to the stage of irrecoverable sickness and from the evidence of the workmen side it is not clear if they were appointed against permanent vacancies and whether they were working as permanent workers. A long time has elapsed after their initial engagement. Due to lack of evidence on the claim that the claimants were appointed against permanent vacancies it cannot be concluded that the claimant were performing the job of permanent workers with required efficiency. In such scenario it can be reasonably concluded that the action of the management keeping the claimants as casual labourers of such a long period cannot be held to be thoroughly illegal since there is no strong evidence that the claimants were working as permanent workers against permanent vacancies.

A good number of case laws mentioned below have been referred by the workmen side *In Civil Appeal No. 4840 of 2021 Neelima Srivastava Vs. State of U.P. and others, Civil Appeal No. 2413 of 1998 Municipal Committee Tauru Vs. Harpal Singh and another, Civil Appeal No. 4755 of 2001 General Manager, O.N.G.C., Shilchar Vs. O.N.G.C. Contractual Workers Union, Civil Appeal No. 1878 of 2016 Oil and Natural Gas Corporation Vs. Krishna Gopal and others, Civil Appeal No. 10499 of 2011 Food Corporation of India Vs. Gen. Secy, FCI India Employees Union & Ors., Civil Appeal No. 1381 of 2019 Chennai Port Trust Vs. The Chennai Port Trust Industrial Employees Canteen Workers Welfare Association And Ors., Civil Appeal No. 7872 of 2011 Delhi International Airport Private Limited Vs. Union of India and others,*

Civil Appeal No. 11010 of 1996 V.M. Chandra Vs. Union of India and others, Civil Appeal No. 10956 of 2018 Sabha Shanker Dube Vs. Divisional Forest Officer & Ors., Civil Appeal No. 4094 of 1998 Jawaharlal Nehru Technological University Vs. Smt. T. Sumalatha and others, AIR 1987 Supreme Court 2049 M.P. Thakkar and K.N. Singh, Civil Appeal No. 3715 (N.L.) of 1984 Sarva Shramik Sangh, Bombay Vs. Indian Hume Pipe Co. Ltd. and another, Civil Appeal No. 4421 of 1986 Swadeshi Cotton Mills Vs. Labour Court I, Kanpur And others, Civil Appeal No. 4460 of 2008 Workman, Through Hindustan Lever Mazdoor Sabha Vs. Hindustan Lever Ltd., W.P. © Nos. 6522 and 6751 of 2012 Manoj Kumar and others Vs. High Court of Delhi Rep. By Its Registrar and others, Civil Misc. Writ Petition No. 30849 of 2002 U.P. State Road Transport Corporation Vs. Ramesh Kumar Yadav and others, Civil Appeal Nos. 3209-3210 of 2015 Umralla Gram Panchayat Vs. Secretary, Municipal Employees Union and others, Civil Appeal No. 4755 of 2001 General Manager, O.N.G.C., Silchar Vs. O.N.G.C. Contractual Workers Union.

To avoid prolixity it can be stated that the aforesaid case law have been pronounced in the context of scenario which are evidently dissimilar from the circumstances of the case in hand. None of the aforesaid case is related to any moribund industry.

It cannot be logically held that the claimants are entitled to get equal scale at par with regular employees. The documents produced before the Tribunal on unmistakably show that Scooters India Limited is already a dying Industrial establishment and the claim for regularization is unworkable but on the other hand it cannot be brushed aside that after completion of training of two years the claimants had worked almost for ten years with extension of their engagement year wise. It appears that since they were non permanent casual workers they were not given any package. For the sake of clarity it can be stated here that the claimants' termination cannot be held to be retrenchment coverable under section 2 (00) (bb) of Industrial Disputes Act, 1947 but as they have worked in SIL they are entitled to get compensation which can be worked out on guess work. Keeping the said workers on contractual engagement beyond ten years was unethical though the same cannot be treated as thoroughly unfair labour practice. Actual compensation with mathematical accuracy cannot be worked out. In the circumstances guess work can be resorted to for working out compensation. Keeping the whole scenario into consideration it can be stated that the claimants are entitled to get compensation. Since SIL is already in stage of irrecoverable sickness thriving with assistance of the Government huge of amount of compensation cannot be awarded in favour of the claimants. Considering the whole scenario as found from the record it can be logically held that the claimants are each entitled to get compensation of Rupees One lakh each which shall be deposited into the account of the claimants by the O.P. management within one month from the date of the publication of the award failing which the claimants will be entitled get simple interest at the rate of 8% per annum from the date of the award till the whole amount is cleared.

In view of the discussions stated above the reference is answered accordingly.

Parties are left to bear their respective costs.

SOMA SHEKHAR JENA, Presiding Officer

नई दिल्ली, 30 नवम्बर, 2022

का.आ. 1235.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार उप महाप्रबंधक, पावर ग्रिड कॉर्पोरेशन ऑफ इंडिया लिमिटेड, कानपुर-(उ.प्र.); कर्नल. कुंवर शिव प्रताप सिंह, मैसर्स ऐस ऑफ स्पेड्स सिक्योरिटी सर्विसेज, मेरठ के प्रबंधन के संबद्ध नियोजकों और श्री राम नारायण, कामगार, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, कानपुर के पंचाट (संदर्भ सं. 04 of 2020) को जैसा कि अनुलग्नक में दिखाया गया है, प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 09.11.2022 को प्राप्त हुआ था।

[सं. एल- 42025/07/2022-32-आईआर(डीयू)]

डी.के. हिमांशु, अवर सचिव

New Delhi, the 30th November, 2022

S.O. 1235.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 04 of 2020) of the Central Government Industrial Tribunal cum Labour Court – Kanpur, as shown in the Annexure, in the Industrial dispute between the employers in relation to The Deputy General Manager, Power Grid Corporation of India Ltd, Kanpur-(U.P); Col. Kunwar

Shiv Pratap Singh, M/s Ace of Spades Security Services, Meerut and Shri Ram Narain, worker which was received along with soft copy of the award by the Central Government on 09.11.2022.

[No. L- 42025/07/2022-32-IR(DU)]

D.K. HIMANSHU, Under Secy.

ANNEXURE
BEFORE SHRI SOMA SHEKHAR JENA, PRESIDING OFFICER CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT KANPUR

Present: Soma Shekhar Jena Hjs (Retd.)

I.D. No. 04 of 2020

Notification No.K-10/2-3/2019-IR dated 21.01.2020

issued by the Dy. Chief Labour Commissioner(Central)

Kanpur

BETWEEN

Shri Ram Narain s/o Late Munni Lal, EWS,
F-69, K.D.M.A Road, Barra-8,
Kanpur-208027

AND

1. The Dy. General Manager,
Power Grid Corporation of India Ltd,
400/200, K.V. Sub Station, Kalpi Road,
Post- Chakarpur, Kanpur-209305(U.P)
2. Col. Kunwar Shiv Pratap Singh,
Prop, M/s Ace of Spades Security Services,
508-Begam Bagh, Near Upper India Dairy,
Meerut-250001.

AWARD

This award arises in respect of the reference mentioned in the schedule stated below:-

SCHEDULE

1. **‘Whether the action of management of Power Grid Corporation of India Ltd, Chakarpur, Kanpur /M/s Ace of Spades Security Services, Meerut over alleged termination of the services of Shri Ram Narain s/o Late Munni Lal, Security Guard w.e.f 01.10.2018, is fair, legal and justified without complying of the provisions of Section 25 F of Industrial Disputes Act,1947? If not, to what relief the concerned workman is entitled to and from which date?’**

On receipt of notification, notices were issued to both the parties on 12th February 2020 fixing 28.02.2020 for filing of statement of claim. But none appeared on behalf of claimant workman on the date fixed.

On perusal of the record it is found that though several dates were fixed for filing the statement of claim none appeared on behalf of the claimant workman before the Tribunal. Despite ample opportunities to the claimant workman for submitting statement of claim; the claimant workman failed to present the case before the Tribunal. On 13.10.2022 the case was reserved for final award for non-appearance of the claimant workman.

From the aforesaid circumstances it is presumable that the claimant workman is not interested in prosecuting the case further before the Tribunal.

Hence in the given circumstances the reference stands disposed of as of ‘NIL’ award.

Parties are left to bear their respective costs.

Date: 01.11.2022

SOMA SHEKHAR JENA, Presiding Officer

नई दिल्ली, 30 नवम्बर, 2022

का.आ. 1236.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार क्षेत्रीय प्रबंधक, राष्ट्रीय बीज निगम लिमिटेड क्षेत्रीय कार्यालय, 65-पंडरीबा, लखनऊ के प्रबंधन के संबद्ध नियोजकों और श्रीमती पुष्पा देवी, कामगार, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, कानपुर पंचाट (संदर्भ सं. 114 of 2013) को जैसा कि अनुलग्नक में दिखाया गया है, प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 15.11.2022 को प्राप्त हुआ था।

[सं. एल- 42012/47/2013- आईआर(डीयू)]

डी.के. हिमांशु, अवर सचिव

New Delhi, the 30th November, 2022

S.O. 1236.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 114 of 2013) of the Central Government Industrial Tribunal cum Labour Court – Kanpur, as shown in the Annexure, in the Industrial dispute between the employers in relation to The Regional Manager, National Seeds Corporation Ltd. Regional Office, 65-pandariba, Lucknow and Smt. Pushpa Devi, Worker which was received along with soft copy of the award by the Central Government on 15.11.2022.

[No. L- 42012/47/2013-IR(DU)]

D.K. HIMANSHU, Under Secy.

ANNEXURE

BEFORE SHRI SOMA SHEKHAR JENA, PRESIDING OFFICER CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT KANPUR

Present: Soma Shekhar Jena Hjs (Retd.)

I.D. No. 114 of 2013

L-42012/47/2013-IR(DU) dated 21.08.2013

BETWEEN

Smt. Pushpa Devi , W/o Late Narain Singh,
House No. 43/280, Sikandra, Agra.
AGRA (U.P)-

AND

The Regional Manager,
National Seeds Corporation Ltd.
Regional Office, 65-pandariba,
Lucknow-226004.

AWARD

This award arises in respect of Industrial Dispute stated in schedule below communicated to this Tribunal in notification no.L-42012/47/2013- IR(DU) dated 21.08.2013 issued by Government of India, Ministry of Labour.

SCHEDULE

“Whether the action of the management of National Seeds Corporation Ltd., Lucknow in terminating the services of Smt. Pushpa Devi W/o late Narain Singh workman w.e.f 08.03.1999 is just fair & legal? To what relief the workman is entitled to?”

The averments of the claimant workman may be summarized as follows:-

Claimant workwoman was employed by the O.P management at its establishment Sikandra, Agra in 1996 without appointment letter. Where she worked till 07.03.1999 continuously. O.P management was having the charge of the National Seed Corporation and Vegetable Processing Centre which comes under Government of India and on the direction of O.P management claimant workwoman works in National Seed Corporation and sometimes in Vegetable Processing Centre. Since the O.P management is a government entity hence as per article 12 management is state. And at the time of appointment OP management failed to provide claimant workwoman any kind of appointment letter, identity card, salary slip and neither her name was marked in attendance register which is violation of law. On 08.03.1999 O.P management terminate the service of claimant

workwoman orally without giving any notice or retrenchment. The termination of claimant workwoman is illegal and is not as per the law. It is important to point out that at the time when the service of the claimant workwoman was terminated many worker who are junior is still in the service. And not only they were in the service but also the nature of their service is changed from temporary to permanent. Claimant workwoman further prayed before the Tribunal that she should be re employed with back wages as her termination was unlawful as no notice or notice pay or retrenchment was given hence it is violation of the section 25 F of ID Act 1947.

The claimant work lady has prayed for reinstatement with continuity of service from the dated of permanent absorption of her immediate junior along with wages for the period she was kept jobless.

In response to the statement of claim counter has been filed by O.P employer with averments which are concisely stated as below:-

O.P management is in business of preservation, cultivation and purification of rabi and kharif crops by employing workers from the market on temporary basis and on daily wages. The duration of above mentioned task is one and half to two months at maximum. After completion of the task, employment of temporary workers terminate automatically. For the above mentioned work there is no procedure of issuing of appointment letter or termination letter. Hence the claimant work woman was never provided with any appointment or termination letter. It is further mentioned by O.P management that after economic liberalisation of country in 1992 there is downsized in the post of group C and D hence the claim of claimant work woman to made work without any appointment letter is false and baseless. It is further mentioned by the O.P management that claimant workwoman was appointed only on temporary basis and in no calender year claimant workman never worked for 240 days. It is further mentioned that claimant work woman never worked even as temporary worker for the period of 1996 to 1999. It is stated by the O.P management that the claim of the claimant workwoman is baseless, false and against the law hence should be rejected without any consideration.

The points to be answered in this proceeding are as follows:-

1. Whether termination of services of Smt. Puspa Devi w.e.f 08.03.1999 is legally fair and sustainable?
2. To what relief the claimant work woman is entitled?

Though statement of claim was submitted by claimant work woman and several dates were fixed the claimant work woman did not appear before this Tribunal to depose her evidence. Law is well settled that the pleadings of the workwoman cannot be read as substantive evidence. On the other hand on behalf of O.P management several documents have been produced showing that the claimant work woman was engaged as casual worker on daily wage. It is further pointed out by the O.P employer that in view of government of India circular even regular employees were reduced by 50% by offering VRS (voluntary retirement scheme). There is nothing contrary to such proposition on behalf of claimant work woman. In the scenario it is presumable that claimant work woman has no genuine interest to prosecute her case before this Tribunal. Further more a casual worker is not legally entitled to be absorbed in permanent vacancy lest the same should amount to backdoor entry . It is contended on behalf of O.P management that the claimant work woman was engaged on seasonal assignment of rabi crop and paddy crop. Since the claimant work woman engaged as casual daily waged labourer or termination cannot be treated as retrenchment. On her termination she is neither entitled to retrenchment notice nor retrenchment pay. In view of the scenario stated above the NIL Award is passed in respect of the reference.

Parties are left to bear their respective costs.

Let a soft copy be sent to the Ministry and two hard copies of the same will follow in due course of time.

Date: 07.11.2022

SOMA SHEKHAR JENA, Presiding Officer

नई दिल्ली, 30 नवम्बर, 2022

का.आ. 1237.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार निदेशक, शिक्षता प्रशिक्षण बोर्ड (एनआर), लखनपुर, कानपुर नगर के प्रबंधन के संबद्ध नियोजकों और श्री नरेश कुमार, कामगार, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम

न्यायालय, कानपुर के पंचाट (संदर्भ सं. 12 of 2018) को जैसा कि अनुलग्नक में दिखाया गया है, प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 10.11.2022 को प्राप्त हुआ था।

[सं. एल- 42012/40/2017- आईआर(डीयू)]

डी.के. हिमांशु, अवर सचिव

New Delhi, the 30th November, 2022

S.O. 1237.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 12 of 2018) of the Central Government Industrial Tribunal cum Labour Court—Kanpur, as shown in the Annexure, in the Industrial dispute between the employers in relation to The Director, Board of Apprenticeship Training (NR), Lakhanpur, Kanpur Nagar and Shri Naresh Kumar, Worker which was received along with soft copy of the award by the Central Government on 10.11.2022.

[No. L- 42012/40/2017-IR(DU)]

D.K. HIMANSHU, Under Secy.

ANNEXURE

BEFORE SHRI SOMA SHEKHAR JENA, PRESIDING OFFICER CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT KANPUR

Present : Soma Shekhar Jena HJS (Retd.)

I.D. No. 12 of 2018

L-42012/40/2017-IR(DU) dated 29.01.2018

BETWEEN

Sh. Naresh Kumar S/o Sh. Shiv Balak Singh,
Village Karsui, Post-Kathara,
Thana Bidhnu,
Kanpur Nagar-209214

AND

The Director,
Board of Apprenticeship Training (NR)
Plot No. 16, Block 1-A, Lakhanpur,
Kanpur Nagar-208024

AWARD

This award arises in respect of the reference mentioned in the schedule stated below as received from the Government of India, Ministry of Labour and Employment in letter no. L-42012/40/2017-IR(DU) dated 29.01.2018

SCHEDULE

“Whether the action of the management of Director, Board of Apprenticeship Training (N.R) Kanpur in terminating Sh. Naresh Kumar S/o Sh. Shiv Balak Singh from the service w.e.f 01.05.2011 is just fair & legal? if not, to what relief the workman concerned is entitled to?”

The averments of claimant workman may be summarized as follows:-

The applicant workman Sri Naresh Kumar was employed by the opposite party as an attendant on clear vacancy in the year 1999 and he has worked in the said office till 30th April 2011. During the employment with the opposite party the work and conduct of the applicant workman has always been found satisfactory and that is the reason the applicant workman had never been served any censure or memo of charges by the opposite party. The services of the concerned employee had been terminated w.e.f 02.05.2011 by the Board of Apprenticeship Training (BOAT) without assigning any reason and without compliance of the provisions of section 25F of Industrial Dispute Act 1947. The concerned workman has rendered 14 years of uninterrupted service in the office of the opposite party. It is averred that during the employment with the opposite party, the concerned workman was being paid meagre amount below the minimum wages as notified by the government

from time to time under the Minimum Wages Act 1948. The said act of the opposite party was quite unfair and against the state policy.

It is relevant to state that besides the routine work of the office, the concerned workman was also engaged on overtime work on regular basis by the opposite party. Since the plaintiff workman was being paid inadequate wages below the minimum wages during the employment, he requested to the Director of the BOAT to increase his wages up to the level of minimum wage, the Director removed the workman from the services from 01.05.2011 maliciously without following the procedure laid down in the Industrial Dispute Act 1947. It is noteworthy that another workman junior to the concerned workman was made permanent. This action of the BOAT is absolutely discriminatory and in violation of article 14 of Constitution of India. The pick and choose policy in Government sector is not permissible. The entire action of the opposite party is malicious, discriminatory and against the policies of the government and as such not sustainable. The exploitation and victimization of the concerned workman is not only condemnable but also punishable under existing laws. Keeping in view the above facts, the termination of the concerned workman of Sri Naresh Kumar from the service of the BOAT w.e.f 01.05.2011 is illegal and unjustified and therefore liable to set aside.

No written statement has been submitted by O.P employer though notices were duly issued.

For adjudication of the Industrial Dispute following points are to be answered:-

1. Whether the termination of claimant workman Shri Naresh Kumar w.e.f 01.04.2011 suffers from any legal perversity?
2. To what relief the claimant is entitled?

Point No. 1

For the sake of clarity it is stated that no written statement against the statement of claim filed by claimant workman on 29.10.2018 has been filed on behalf of O.P management. In such scenario the adjudication for Industrial dispute is made on the basis of averments found in statement of claim and documents filed on behalf of claimant workman. Though the pleadings of claimant workman in statement of claim cannot be strictly read as substantive evidence on behalf of workman a good number of photocopies of documents such as Identity card and payment vouchers, one paper containing noting of one authority of employer institution made on date 31.07.2009 have been filed. These documents have remained uncontroverted and from the said uncontroverted documents it can safely concluded that Naresh Kuamr was engaged as casual worker in the post of project attendant on daily wage of Rs 100/-. In view of the evidence adduced by Naresh Kumar it is crystal clear that he was engaged as daily wager though he might have served for long period. Law is well settled that a daily wager engaged as casual worker cannot acquire any right to be absorbed in any substantive post without undergoing regular process of selection. The termination of engagement of Shri Naresh Kumar as previously engaged as Casual project attendant by the employer cannot be held to be illegal in view of the spirit of case law Himanshu Kumar Vidyarthi versus State of Bihar & others termination of Shri Naresh Kumar by employer cannot be held as illegal. To add to this it is not clear if the project in which Naresh Kumar was engaged had continued after his disengagement. The disengagement of Shri Naresh Kumar from the post of project attendant cannot be read as retrenchment as enshrined in 2[00] of Industrial Disputes Act 1947. Since the termination of Naresh Kumar is not retrenchment the provisions of section 25F of the Industrial Dispute Act, 1947 are not applicable on disengagement of Naresh Kumar. The claimant might have been paid wages below the minimum wages as notified by the government but there is no supportive documentary material. Such stand of Naresh Kumar that he was paid below minimum wages remains a doubtful plea. Even if he was not given minimum wages he cannot be automatically absorbed in any permanent vacancy. In view of discussions stated above it can be concluded that termination of Naresh Kumar w.e.f 01.04.2011 cannot be held as illegal.

Point No.2

To what relief the claimant is entitled?

From uncontroverted averment and documents Naresh Kumar was engaged as casual worker from 1999 upto 01.05.2011. In view of long period of engagement and view of spirit of Sahani as pronounced by Supreme Court Naresh Kumar is entitled to get compensation which can be worked out on guess work. It is clear that Naresh Kumar had accepted the engagement as casual worker on daily wages for Rs 100/- per day. Though he is not entitled to get retrenchment compensation and notice pay his compensation can be worked out as pay for 15 days of wages for every completed year since 1999 till 01.05.2011 which comes to wages for 6 months and notice pay for 1 month intoto for 7 months of monthly wages which comes to $3600 \times 7 = 25200$. On the said amount the claimant workman is entitled to get simple interest of 9% per annum from 01.05.2011 upto date of actual payment which shall be deposited into the account of the claimant Naresh Kumar within one month of publication of the award under section 17 of ID Act, 1947.

Date: 23.09.2022

SOMA SHEKHAR JENA, Presiding Officer

नई दिल्ली, 30 नवम्बर, 2022

का.आ. 1238.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार कमांडेंट एवं प्रबंध निदेशक, 509, आर्मी बेस वर्कशॉप, आगरा (यू.पी.) के प्रबंधन के संबद्ध नियोजकों और सचिव, 509 ईएमई वर्कर्स यूनियन, आगरा (यू.पी.), के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, कानपुर के पंचाट (संदर्भ सं. 67 of 2014) को जैसा कि अनुलग्नक में दिखाया गया है, प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 09.11.2022 को प्राप्त हुआ था।

[सं. एल- 14011/05/2014- आईआर(डीयू)]

डी.के. हिमांशु, अवर सचिव

New Delhi, the 30th November, 2022

S.O. 1238.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 67 of 2014) of the Central Government Industrial Tribunal cum Labour Court—Kanpur, as shown in the Annexure, in the Industrial dispute between the employers in relation to The Commandant & Managing Director, 509, Army Base Workshop, Agra (U.P) and The Secretary, 509 EME Workers Union, Agra (U.P), which was received along with soft copy of the award by the Central Government on 09.11.2022.

[No. L- 14011/05/2014-IR(DU)]

D.K. HIMANSHU, Under Secy.

ANNEXURE

BEFORE SHRI SOMA SHEKHAR JENA, PRESIDING OFFICER CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL—CUM—LABOUR COURT KANPUR

Present: SOMA SHEKHAR JENA Hjs (Retd.)

I.D. No. 67 of 2014

L-14011/05/2014-IR(DU) dated 27.05.2014

BETWEEN

The Secretary,
509 EME Workers Union, 16/107,
Laldi Katra, Shahganj,
AGRA (U.P)-

AND

The Commandant & Managing Director,
509, Army Base Workshop,
AGRA (U.P)-

AWARD

This award arises in respect of the reference mentioned in the schedule stated below as received from the Government of India in letter no. L-14011/05/2014-IR(DU) dated 27.05.2014.

SCHEDULE

“Whether the action of the management of 509 ABW, Agra in fixing the pay of Shri Rajesh Kumar Sharma, TCM T No. 6763 w.e.f 1st September 2002 instead of 1st march, 2002 (on being granting of 1st ACP) is just and Proper? and if not, what relief the concerned workman is entitled to?”

On receipt of notification, notices were issued to both the parties on 13th August, 2014. In response to the notice the AR of the claimant workman filed the claim statement on 13.03.2015. Later on 13.04.2015 AR of the management filed written statement. On 19.06.2015 AR of the claimant workman filed rejoinder. On 20.11.2015 AR of claimant workman filed documents and on 14.03.2016 AR of the management filed documents. Since then several opportunities were provided to the claimants workmen but claimant workmen failed to register their presence before this Tribunal. The proceeding was fixed to dates 24.05.2016,

27.06.2016, 12.08.2016, 30.09.2016, 25.11.2016, 06.02.2017, 10.04.2017, 30.05.2017, 07.08.2017, 31.10.2017, 18.01.2018, 04.04.2018, 30.05.2018, 06.08.2018, 11.10.2018, 14.12.2018, 28.02.2019, 03.05.2019, 17.07.2019, 26.09.2019, 6.12.2019, 12.02.2020, 28.04.2020, 10.07.2020, 02.09.2020, 03.12.2020, 28.12.2020, 29.01.2020, 13.04.2021, 13.07.2021, 16.09.2021, 11.11.2021, 06.01.2022, 24.03.2022 but claimant workman failed to appear before the Tribunal. Pleadings in the claim application and in the rejoinder are not to be read as evidence. After all, the Management is vested with authority to allow ACP with effect from a deferred date. From the aforesaid circumstances it is presumable that the workman and the union are not interested in prosecuting the case further before the Tribunal.

Hence in the given circumstances the reference stands disposed of as of 'NIL' award.

Parties are left to bear their respective costs.

SOMA SHEKHAR JENA, Presiding officer

नई दिल्ली, 30 नवम्बर, 2022

का.आ. 1239.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार महाप्रबंधक (ओ एंड एम) एनटीपीसी, बिलासपुर (सी.जी.); अपर प्रबंधक और मानव संसाधन (प्रमुख), मैसर्स एरा इंफ्रा इंजीनियरिंग लिमिटेड, नोएडा (यू.पी.); परियोजना प्रबंधक, एरा इंफ्रा इंजीनियरिंग लिमिटेड एनटीपीसी, बिलासपुर (सी.जी.) के प्रबंधन के संबद्ध नियोजकों और अध्यक्ष, छत्तीसगढ़ कर्मचारी मजदूर एकता संघ, बिलासपुर, छत्तीसगढ़, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, जबलपुर के पंचाट (संदर्भ सं. CGIT/LC/R/145/2017) को जैसा कि अनुलग्नक में दिखाया गया है, प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 30/10/2022 को प्राप्त हुआ था।

[सं. एल- 42011/112/2017- आईआर-(डीयू)]

डी.के. हिमांशु, अवर सचिव

New Delhi, the 30th November, 2022

S.O. 1239.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. CGIT/LC/R/145/2017) of the Central Government Industrial Tribunal cum Labour-Jabalpur, as shown in the Annexure, in the Industrial dispute between the employers in relation to The General Manager (O & M) NTPC, Bilaspur (C.G.); The Additional Manager & HR (Head), M/s Era Infra Engineering Ltd., Noida (U.P.); The Project Manager, Era Infra Engineering Ltd. NTPC, Bilaspur (C.G) and The President, Chhattisgarh Employees Mazdoor Ekta Sangh, Bilaspur, Chhattisgarh, which was received along with soft copy of the award by the Central Government on 30/10/2022.

[No. L- 42011/112/2017- IR (DU)]

D.K. HIMANSHU, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
JABALPUR

NO. CGIT/LC/R/145/2017

Present: P.K.SRIVASTAVA H.J.S..(RETD)

Shri Om Prakash Gangotri
President,
Chhattisgarh Kramchhari Mazdoor Ekta Union,
Bilaspur(C.G.)-495006

.... Workman

Versus

The Project Manager
Era Infra Engineering Ltd.
NTPC, Seepat, PO-Ujjwal Nagar,
District Bilaspur(CG-495006)

The Additional Manager & HR(Head)
M/s Era Infra Engineering Ltd.
C-56/41.Sector62, Noida(UP)-201301.

The General Manager(O&M)
NTPC Seepat, PO-Ujjwal Nagar,
Bilaspur(C.G.)495006

....Management

AWARD

(Passed on this 10th day of October-2022.)

As per letter dated 24/10/2017 by the Government of India, Ministry of Labour, New Delhi, the reference is received. The reference is made to this Tribunal under Section -10 of I.D.Act, 1947 as per Notification No.L-42011/112/2017-IR(DU). The dispute under reference relates to:

“Whether the action of the management on the part of M/s Era Infra Engineering Ltd. A contractor working under the Principal Employer at NTPC, Seepat site in terminating the workman namely Shri Anurag S/o Shri Santoshand not paying the terminal benefits as espoused by the President of Chhattisgarh Karamchhari Mazdoor Ekta Union, Bilaspur is legal and justified without complying the provisions of Section 25(f) of the ID Act? If Not, what relief the above named workman is entitled to? .”

1. After registering the case on the basis of reference, notices were sent to the parties. Parties were served. They appeared through their learned counsel.

2. The workman did not file any statement of claim. Management also preferred not to file any written statement of defence.

3. **The reference is the issue for determination in the case in hand.**

4. The initial burden to prove the claim is on the workman in which he has miserably failed, hence holding the claim of the workman not proved the reference is answered against the workman.

5. On the basis of the above discussion, following award is passed:-

A.The action of the management as mentioned in the reference is held to be just and proper.

B.The workman is held entitled to no relief.

6. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

P.K. SRIVASTAVA, Presiding Officer

DATE: 10-10-2022

नई दिल्ली, 30 नवम्बर, 2022

का.आ. 1240.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार महाप्रबंधक (ओ एंड एम) एनटीपीसी, बिलासपुर (सी.जी.); अपर प्रबंधक और मानव संसाधन (प्रमुख), मैसर्स एरा इंफ्रा इंजीनियरिंग लिमिटेड, नोएडा (यू.पी.); परियोजना प्रबंधक, एरा इंफ्रा इंजीनियरिंग लिमिटेड एनटीपीसी, बिलासपुर (सी.जी.) के प्रबंधन के संबद्ध नियोजकों और अध्यक्ष, छत्तीसगढ़ कर्मचारी मजदूर एकता संघ, बिलासपुर, छत्तीसगढ़, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, जबलपुर के पंचाट (संदर्भ सं. CGIT/LC/R/144/2017) को जैसा कि अनुलग्नक में दिखाया गया है, प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 30/10/2022 को प्राप्त हुआ था।

[सं. एल- 42011/111/2017- आईआर-(डीयू)]

डी.के. हिमांशु, अवसर सचिव

New Delhi, the 30th November, 2022

S.O. 1240.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. CGIT/LC/R/144/2017) of the Central Government Industrial Tribunal cum Labour-Jabalpur, as shown in the Annexure, in the Industrial dispute between the employers in relation to The General Manager (O & M) NTPC, Bilaspur (C.G.);The Additional Manager & HR (Head),

M/s Era Infra Engineering Ltd., Noida (U.P);The Project Manager, Era Infra Engineering Ltd. NTPC, Bilaspur (C.G) and The President, Chhattisgarh Employees Mazdoor Ekta Sangh, Bilaspur, Chhattisgarh, which was received along with soft copy of the award by the Central Government on 30/10/2022.

[No. L- 42011/111/2017- IR (DU)]

D.K. HIMANSHU, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL -CUM -LABOUR COURT, JABALPUR

NO. CGIT/LC/R/144/2017

Present: P.K.SRIVASTAVA H.J.S..(RETD)

Shri Om Prakash Gangotri
President, Chhattisgarh Kramchari Mazdoor Ekta Union,
Bilaspur(C.G.)-495006

... Workman

Versus

The Project Manager
Era Infra Engineering Ltd.
NTPC, Seepat,PO-Ujjwal Nagar,
District Bilaspur(CG-495006)

The Additional Manager & HR(Head)
M/s Era Infra Engineering Ltd.
C-56/41.Sector62, Noida(UP)-201301.
The General Manager(O&M)
NTPC Seepat, PO-Ujjwal Nagar,
Bilaspur(C.G.)495006

... Management

AWARD

(Passed on this 10th day of October-2022.)

As per letter dated 24/10/2017 by the Government of India, Ministry of Labour, New Delhi, the reference is received. The reference is made to this Tribunal under Section -10 of I.D.Act, 1947 as per Notification No.L-42011/111/2017-IR(DU). The dispute under reference relates to:

“Whether the action of the management on the part of M/s Era Infra Engineering Ltd. A contractor working under the Principal Employer at NTPC, Seepat site in terminating the workman namely shri Chaturlal S/o Ramadhin and not paying the terminal benefits as espoused by the President of Chhattisgarh Karamchari Mazdoor Ekta Union, Bilaspur is legal and justified without complying the provisions of Section 25(f) of the ID Act? If Not, what relief the above named workman is entitled to? .”

1. After registering the case on the basis of reference, notices were sent to the parties. Parties were served. They appeared through their learned counsel.
2. The workman did not file any statement of claim. Management also preferred not to file any written statement of defence.
3. **The reference is the issue for determination in the case in hand.**
4. The initial burden to prove the claim is on the workman in which he has miserably failed, hence holding the claim of the workman not proved the reference is answered against the workman.
5. On the basis of the above discussion, following award is passed:-

A. The action of the management as mentioned in the reference is held to be just and proper.

B. The workman is held entitled to no relief.

6. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

DATE: 10-10-2022

P.K.SRIVASTAVA, Presiding Officer

नई दिल्ली, 30 नवम्बर, 2022

का.आ. 1241.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार महाप्रबंधक (ओ एंड एम) एनटीपीसी, बिलासपुर (सी.जी.); अपर प्रबंधक और मानव संसाधन (प्रमुख), मैसर्स एरा इंफ्रा इंजीनियरिंग लिमिटेड, नोएडा (यू.पी.); परियोजना प्रबंधक, एरा इंफ्रा इंजीनियरिंग लिमिटेड एनटीपीसी, बिलासपुर (सी.जी.) के प्रबंधन के संबद्ध नियोजकों और अध्यक्ष, छत्तीसगढ़ कर्मचारी मजदूर एकता संघ, बिलासपुर, छत्तीसगढ़, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, जबलपुर पंचाट (संदर्भ संख्या CGIT/LC/R/143/2017) को जैसा कि अनुलग्नक में दिखाया गया है, प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 30/10/2022 को प्राप्त हुआ था।

[सं. एल- 42011/108/2017- आईआर-(डीयू)]

डी.के. हिमांशु, अवर सचिव

New Delhi, the 30th November, 2022

S.O. 1241.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. CGIT/LC/R/143/2017) of the Central Government Industrial Tribunal cum Labour-Jabalpur, as shown in the Annexure, in the Industrial dispute between the employers in relation to The General Manager (O & M) NTPC, Bilaspur (C.G.); The Additional Manager & HR (Head), M/s Era Infra Engineering Ltd., Noida (U.P.); The Project Manager, Era Infra Engineering Ltd. NTPC, Bilaspur (C.G) and The President, Chhattisgarh Employees Mazdoor Ekta Sangh, Bilaspur, Chhattisgarh, which was received along with soft copy of the award by the Central Government on 30/10/2022.

[F. No. L- 42011/108/2017- IR (DU)]

D.K. HIMANSHU, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT, JABALPUR

NO. CGIT/LC/R/143/2017

Present: P.K.Srivastava H.J.S..(Retd)

Shri Om Prakash Gangotri
President,
Chhattisgarh Kramchhari Mazdoor Ekta Union,
Bilaspur(C.G.)-495006

... Workman

Versus

The Project Manager
Era Infra Engineering Ltd.
NTPC, Seepat, PO-Ujjwal Nagar,
District Bilaspur(CG-495006)

The Additional Manager & HR(Head)
M/s Era Infra Engineering Ltd.
C-56/41.Sector62, Noida(UP)-201301.

The General Manager(O&M)
NTPC Seepat, PO-Ujjwal Nagar,
Bilaspur(C.G.)495006

... Management

AWARD**(Passed on this 10th day of October 2022.)**

As per letter dated 24-10-2017 by the Government of India, Ministry of Labour, New Delhi, the reference is received. The reference is made to this Tribunal under Section -10 of I.D.Act, 1947 as per Notification No.L-42011/108/2017-IR(DU). The dispute under reference relates to:

“Whether the action of the management on the part of M/s Era Infra Engineering Ltd. A contractor working under the Principal Employer at NTPC, Seepat site in terminating the workman namely Amrit Lal S/o Shri Bisahu and not paying the terminal benefits as espoused by the President of Chhattisgarh Karamchari Mazdoor Ekta Union, Bilaspur is legal and justified without complying the provisions of Section 25(f) of the ID Act? If Not, what relief the above named workman is entitled to? .”

1. After registering the case on the basis of reference, notices were sent to the parties. Parties were served. They appeared through their learned counsel.
2. The workman did not file any statement of claim. Management also preferred not to file any written statement of defence.

3. **The reference is the issue for determination in the case in hand.**

4. The initial burden to prove the claim is on the workman in which he has miserably failed, hence holding the claim of the workman not proved the reference is answered against the workman.

5. On the basis of the above discussion, following award is passed:-

A.The action of the management as mentioned in the reference is held to be just and proper.

B.The workman is held entitled to no relief.

6. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

P.K.SRIVASTAVA, Presiding Officer

DATE: 10-10-2022

नई दिल्ली, 30 नवम्बर, 2022

का.आ. 1242.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार महाप्रबंधक (ओ एंड एम) एनटीपीसी, बिलासपुर (सी.जी.); अपर प्रबंधक और मानव संसाधन (प्रमुख), मैसर्स एरा इंफ्रा इंजीनियरिंग लिमिटेड, नोएडा (यू.पी.); परियोजना प्रबंधक, एरा इंफ्रा इंजीनियरिंग लिमिटेड एनटीपीसी, बिलासपुर (सी.जी.) के प्रबंधन के संबंध में नियोजकों और अध्यक्ष, छत्तीसगढ़ कर्मचारी मजदूर एकता संघ, बिलासपुर, छत्तीसगढ़, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, जबलपुर पंचाट (संदर्भ सं. CGIT/LC/R/142/2017) को जैसा कि अनुलग्नक में दिखाया गया है, प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 30/10/2022 को प्राप्त हुआ था।

[सं. एल- 42011/110/2017- आईआर-(डीयू)]

डी.के. हिमांशु, अवर सचिव

New Delhi, the 30th November, 2022

S.O. 1242.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. CGIT/LC/R/142/2017) of the Central Government Industrial Tribunal cum Labour-Jabalpur, as shown in the Annexure, in the Industrial dispute between the employers in relation to The General Manager (O & M) NTPC, Bilaspur (C.G.);The Additional Manager & HR (Head), M/s Era Infra Engineering Ltd., Noida (U.P.);The Project Manager, Era Infra Engineering Ltd. NTPC, Bilaspur (C.G) and The President, Chhattisgarh Employees Mazdoor Ekta Sangh, Bilaspur, Chhattisgarh, which was received along with soft copy of the award by the Central Government on 30/10/2022.

[No. L- 42011/110/2017- IR (DU)]

D.K. HIMANSHU, Under Secy.

ANNEXURE
BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT,
JABALPUR

NO. CGIT/LC/R/142/2017

Present: P.K.Srivastava H.J.S..(Retd)

Shri Om Prakash Gangotri
 President,
 Chhattisgarh Kramchari Mazdoor Ekta Union,
 Bilaspur(C.G.)-495006

... Workman

Versus

The Project Manager
 Era Infra Engineering Ltd.
 NTPC, Seepat,PO-Ujjwal Nagar,
 District Bilaspur(CG-495006)

The Additional Manager & HR(Head)
 M/s Era Infra Engineering Ltd.
 C-56/41.Sector62, Noida(UP)-201301.

The General Manager(O&M)
 NTPC Seepat, PO-Ujjwal Nagar,
 Bilaspur(C.G.)495006

... Management

AWARD
(Passed on this 10th day of October-2022.)

As per letter dated 24/10/2017 by the Government of India, Ministry of Labour, New Delhi, the reference is received. The reference is made to this Tribunal under Section -10 of I.D.Act, 1947 as per Notification No.L-42011/110/2017-IR(DU) The dispute under reference relates to:

“Whether the action of the management on the part of M/s Era Infra Engineering Ltd. A contractor working under the Principal Employer at NTPC, Seepat site in terminating the workman namely Shri Antardesi S/o Shri Mahettar and not paying the terminal benefits as espoused by the President of Chhattisgarh Karamchari Mazdoor Ekta Union, Bilaspur is legal and justified without complying the provisions of Section 25(f) of the ID Act? If Not, what relief the above named workman is entitled to? .”

1. After registering the case on the basis of reference, notices were sent to the parties. Parties were served. They appeared through their learned counsel.
2. The workman did not file any statement of claim. Management also preferred not to file any written statement of defence.
3. **The reference is the issue for determination in the case in hand.**
4. The initial burden to prove the claim is on the workman in which he has miserably failed, hence holding the claim of the workman not proved the reference is answered against the workman.
5. On the basis of the above discussion, following award is passed:-

A.The action of the management as mentioned in the reference is held to be just and proper.

B.The workman is held entitled to no relief.

6. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

P.K.SRIVASTAVA, Presiding Officer

DATE: 10-10-2022

नई दिल्ली, 30 नवम्बर, 2022

का.आ. 1243.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार महाप्रबंधक (ओ एंड एम) एनटीपीसी, बिलासपुर (सी.जी.); अपर प्रबंधक और मानव संसाधन

(प्रमुख), मैसर्स एरा इंफ्रा इंजीनियरिंग लिमिटेड, नोएडा (यू.पी.); परियोजना प्रबंधक, एरा इंफ्रा इंजीनियरिंग लिमिटेड एनटीपीसी, बिलासपुर (सी.जी.) के प्रबंधन के संबंध में नियोजकों और श्रीमती सुनीता बाई, द्वारा अध्यक्ष, छत्तीसगढ़ कर्मचारी मजदूर एकता संघ, बिलासपुर, छत्तीसगढ़, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, जबलपुर के पंचाट (संदर्भ सं. CGIT/LC/R/47/2017) को जैसा कि अनुलग्नक में दिखाया गया है, प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 30/10/2022 को प्राप्त हुआ था।

[सं. एल- 42011/04/2017- आईआर-(डीयू)]

डी.के. हिमांशु, अवर सचिव

New Delhi, the 30th November, 2022

S.O. 1243.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. CGIT/LC/R/47/2017) of the Central Government Industrial Tribunal cum Labour-Jabalpur, as shown in the Annexure, in the Industrial dispute between the employers in relation to The General Manager (O & M) NTPC, Bilaspur (C.G.);The Additional Manager & HR (Head), M/s Era Infra Engineering Ltd., Noida (U.P.);The Project Manager, Era Infra Engineering Ltd. NTPC, Bilaspur (C.G) and Smt. Sunita Bai, Through The President, Chhattisgarh Employees Mazdoor Ekta Sangh, Bilaspur, Chhattisgarh, which was received along with soft copy of the award by the Central Government on 30/10/2022.

[No. L- 42011/04/2017- IR (DU)]

D.K. HIMANSHU, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

NO. CGIT/LC/R/47/2017

Present: P.K.Srivastava H.J.S.(Retd.)

Smt. Sunita Bai,
C/o Shri Om Prakash Gangotri,
President, Chhattisgarh Kramchari
Mazdoor Ekta Union, Bilaspur,
Chhattisgarh – 495555.

...Workman

Versus

The General Manager (O & M)
NTPC, Seepat PO Ujjawal Nagar,
Bilaspur. C.G. - 495555

The Addl. Manager & HR (Head)
M/s Era Infra Engineering Ltd.
C-56/41, Sector – 62,
Noida UP – 201301.

The Project Manager,
Era Infra Engineering Ltd. NTPC,
Seepat Site, P.O. Ujjawal Nagar
Bilaspur. C.G. – 495555.

...Management

AWARD

(Passed on this 17th day of October-2022)

2. As per letter dated 09/05/2017 by the Government of India, Ministry of Labour, New Delhi, the reference is received. The reference is made to this Tribunal under Section 10 of I.D. Act, 1947 as per Notification No. L-42011/04/2017 – IR (DU). The dispute under reference relates to:

“Whether the action on the part of M/s Era Infra Engineering Ltd, a contractor working under the principal employer at NTPC, Seepat site in terminating the workman namely Smt. Sunita Bai w/o Ratiram and not paying the terminal benefits as espoused by the president of the Chattisgarh Kramchari Mazdoor Ekta Union, Bilaspur is legal and justified as per the provisions of section 25 (F) of ID act? If not, what relief the above named workman is entitled to?

3. After registering the case on the basis of reference, notices were sent to the parties on addresses mention in the reference. Workman represented through her learned counsel Adv. Shri S.K.Saini. Management No. 1 & 2 represented through their learned counsel Adv. Shri R.C.Shrivastava and Adv. Shri Pradeep Kumar Pandey respectively. Many dates were given for filling of Statement of Claim. No Statement of Claim was filed. The opposite parties also did not file any Written Statement of Defence.

4. Since the initial burden to prove its case is on the workman side in which she has failed. Hence the reference deserves to be answered against her and is answered accordingly.

5. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

P.K.SRIVASTAVA, Presiding Officer

DATE: 17-10-2022

नई दिल्ली, 30 नवम्बर, 2022

का.आ. 1244.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार महाप्रबंधक (ओ एंड एम) एनटीपीसी, बिलासपुर (सी.जी.); अपर प्रबंधक और मानव संसाधन (प्रमुख), मैसर्स एरा इंफ्रा इंजीनियरिंग लिमिटेड, नोएडा (यू.पी.); परियोजना प्रबंधक, एरा इंफ्रा इंजीनियरिंग लिमिटेड एनटीपीसी, बिलासपुर (सी.जी.) के प्रबंधन के संबद्ध नियोजकों और श्रीमती रतन रानी, द्वारा अध्यक्ष, छत्तीसगढ़ कर्मचारी मजदूर एकता संघ, बिलासपुर, छत्तीसगढ़, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, जबलपुर के पंचाट (संदर्भ सं. CGIT/LC/R/48/2017) को जैसा कि अनुलग्नक में दिखाया गया है, प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 30/10/2022 को प्राप्त हुआ था।

[सं. एल- 42011/06/2017- आईआर-(डीयू)]

डी.के. हिमांशु, अवर सचिव

New Delhi, the 30th November, 2022

S.O. 1244.— In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. CGIT/LC/R/48/2017) of the Central Government Industrial Tribunal cum Labour-Jabalpur, as shown in the Annexure, in the Industrial dispute between the employers in relation to The General Manager (O & M) NTPC, Bilaspur (C.G.); The Additional Manager & HR (Head), M/s Era Infra Engineering Ltd., Noida (U.P.); The Project Manager, Era Infra Engineering Ltd. NTPC, Bilaspur (C.G) and Smt Ratan Rani, Through The President, Chhattisgarh Employees Mazdoor Ekta Sangh, Bilaspur, Chhattisgarh, which was received along with soft copy of the award by the Central Government on 30/10/2022.

[No. L- 42011/06/2017- IR (DU)]

D.K. HIMANSHU, Under Secy.

**ANNEXURE
BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL- CUM- LABOUR COURT,
JABALPUR
NO. CGIT/LC/R/48/2017**

Present: P.K.Srivastava H.J.S.(Retd.)

Smt. Ratan Rani,
C/o Shri Om Prakash Gangotri,
President, Chhattisgarh Kramchari
Mazdoor Ekta Union, Bilaspur,
Chhattisgarh – 495555.

....Workman

Versus

The General Manager (O & M)
NTPC, Seepat PO Ujjawal Nagar,
Bilaspur. C.G. - 495555

The Addl. Manager & HR (Head)

M/s Era Infra Engineering Ltd.
C-56/41, Sector – 62,
Noida UP – 201301.

The Project Manager,
Era Infra Engineering Ltd. NTPC,
Seepat Site, P.O. Ujjawal Nagar
Bilaspur. C.G. – 495555

... Management

AWARD

(Passed on this 17th day of October-2022)

1. As per letter dated 09/05/2017 by the Government of India, Ministry of Labour, New Delhi, the reference is received. The reference is made to this Tribunal under Section 10 of I.D. Act, 1947 as per Notification No. L-42011/06/2017 – IR (DU). The dispute under reference relates to:

“Whether the action on the part of M/s Era Infra Engineering Ltd, a contractor working under the principal employer at NTPC, Seepat site in terminating the workman namely Smt. Ratan Rani w/o Patiram and not paying the terminal benefits as espoused by the president of the Chattisgarh Kramchari Mazdoor Ekta Union, Bilaspur is legal and justified as per the provisions of section 25 (F) of ID act? If not, what relief the above named workman is entitled to?”

2. After registering the case on the basis of reference, notices were sent to the parties on addresses mention in the reference. Workman represented through her learned counsel Adv. Shri S.K.Saini. Management No. 1 & 2 represented through their learned counsel Adv. Shri R.C.Shrivastava and Adv. Shri Pradeep Kumar Pandey respectively. Many dates were given for filling of Statement of Claim. No Statement of Claim was filed. The opposite parties also did not file any Written Statement of Defence.

3. Since the initial burden to prove its case is on the workman side in which she has failed. Hence the reference deserves to be answered against her and is answered accordingly.

4. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

P.K. SRIVASTAVA, Presiding Officer

DATE: 17-10-2022

नई दिल्ली, 30 नवम्बर, 2022

का.आ. 1245.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार महाप्रबंधक (ओ एंड एम) एनटीपीसी, बिलासपुर (सी.जी.); अपर प्रबंधक और मानव संसाधन (प्रमुख), मैसर्स एरा इंफ्रा इंजीनियरिंग लिमिटेड, नोएडा (यू.पी.); परियोजना प्रबंधक, एरा इंफ्रा इंजीनियरिंग लिमिटेड एनटीपीसी, बिलासपुर (सी.जी.) के प्रबंधन के संबद्ध नियोजकों और श्री मुरली प्रसाद, द्वारा अध्यक्ष, छत्तीसगढ़ कर्मचारी मजदूर एकता संघ, बिलासपुर, छत्तीसगढ़, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, जबलपुर पंचाट (संदर्भ संख्या CGIT/LC/R/49/2017) को जैसा कि अनुलग्नक में दिखाया गया है, प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 30/10/2022 को प्राप्त हुआ था

[सं. एल- 42011/07/2017- आईआर-(डीयू)]

डी.के. हिमांशु, अवर सचिव

New Delhi, the 30th November, 2022

S.O. 1245.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. CGIT/LC/R/49/2017) of the Central Government Industrial Tribunal cum Labour-Jabalpur, as shown in the Annexure, in the Industrial dispute between the employers in relation to The General Manager (O & M) NTPC, Bilaspur (C.G.); The Additional Manager & HR (Head), M/s Era Infra Engineering Ltd., Noida (U.P); The Project Manager, Era Infra Engineering Ltd. NTPC, Bilaspur (C.G) and Shri Murli Prasad, Through The President, Chhattisgarh Employees Mazdoor Ekta Sangh, Bilaspur, Chhattisgarh, which was received along with soft copy of the award by the Central Government on 30/10/2022.

[No. L- 42011/07/2017- IR (DU)]

D.K. HIMANSHU, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT,
JABALPUR

NO. CGIT/LC/R/49/2017

Present: P.K.Srivastava H.J.S.(Retd.)

Shri Murli Prasad,
S/o Kashi Ram,
C/o Shri Om Prakash Gangotri,
President, Chhattisgarh Kramchari
Mazdoor Ekta Union, Bilaspur,
Chhattisgarh - 495555

....Workman

Versus

The General Manager (O & M)
NTPC, Seepat PO Ujjawal Nagar,
Bilaspur C.G. - 495555

The Addl. Manager & HR (Head)
M/s Era Infra Engineering Ltd.
C-56/41, Sector – 62,
Noida UP – 201301.

The Project Manager,
Era Infra Engineering Ltd. NTPC,
Seepat Site, P.O. Ujjawal Nagar
Bilaspur. C.G. – 495555.

... Management

AWARD

(Passed on this 17th day of October-2022)

1. As per letter dated 09/05/2017 by the Government of India, Ministry of Labour, New Delhi, the reference is received. The reference is made to this Tribunal under Section 10 of I.D. Act, 1947 as per Notification No. L-42011/07/2017 – IR (DU). The dispute under reference relates to:

“Whether the action on the part of M/s Era Infra Engineering Ltd, a contractor working under the principal employer at NTPC, Seepat site in terminating the workman namely Shri Murli Prasad S/o Kashi Ram and not paying the terminal benefits as espoused by the president of the Chattisgarh Kramchari Mazdoor Ekta Union, Bilaspur is legal and justified as per the provisions of section 25 (F) of ID act? If not, what relief the above named workman is entitled to?

2. After registering the case on the basis of reference, notices were sent to the parties on addresses mention in the reference. Workman represented through her learned counsel Adv. Shri S.K.Saini. Management No. 1 & 2 represented through their learned counsel Adv. Shri R.C.Shrivastava and Adv. Shri Pradeep Kumar Pandey respectively. Many dates were given for filling of Statement of Claim. No Statement of Claim was filed. The opposite parties also did not file any Written Statement of Defence.

3. Since the initial burden to prove its case is on the workman side in which he has failed. Hence the reference deserves to be answered against him and is answered accordingly.

4. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

P.K. SRIVASTAVA, Presiding Officer

DATE: 17-10-2022

नई दिल्ली, 30 नवम्बर, 2022

का.आ. 1246.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार महाप्रबंधक (ओ एंड एम) एनटीपीसी, बिलासपुर (सी.जी.); अपर प्रबंधक और मानव संसाधन (प्रमुख), मैसर्स एरा इंफ्रा इंजीनियरिंग लिमिटेड, नोएडा (यू.पी.); परियोजना प्रबंधक, एरा इंफ्रा इंजीनियरिंग लिमिटेड एनटीपीसी, बिलासपुर (सी.जी.) के प्रबंधन के संबंध में नियोजकों और श्रीमती परमेश्वरी बाई राम, द्वारा अध्यक्ष, छत्तीसगढ़ कर्मचारी मजदूर एकता संघ, बिलासपुर, छत्तीसगढ़, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, जबलपुर के पंचाट (संदर्भ सं. CGIT/LC/R/50/2017) को जैसा कि अनुलग्नक में दिखाया गया है, प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 30/10/2022 को प्राप्त हुआ था।

[सं. एल- 42011/08/2017- आईआर-(डीयू)]

डी.के. हिमांशु, अवर सचिव

New Delhi, the 30th November, 2022

S.O. 1246.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. CGIT/LC/R/50/2017) of the Central Government Industrial Tribunal cum Labour-Jabalpur, as shown in the Annexure, in the Industrial dispute between the employers in relation to The General Manager (O & M) NTPC, Bilaspur (C.G.); The Additional Manager & HR (Head), M/s Era Infra Engineering Ltd., Noida (U.P.); The Project Manager, Era Infra Engineering Ltd. NTPC, Bilaspur (C.G.) and Smt. Parmeshwari Bai Ram, Through The President, Chhattisgarh Employees Mazdoor Ekta Sangh, Bilaspur, Chhattisgarh, which was received along with soft copy of the award by the Central Government on 30/10/2022.

[No. L- 42011/08/2017- IR (DU)]

D.K. HIMANSHU, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

NO. CGIT/LC/R/50/2017

Present: P.K.Srivastava H.J.S.(Retd.)

Smt. Parmeshwari Bai Ram,
C/o Shri Om Prakash Gangotri,
President, Chhattisgarh Kramchari
Mazdoor Ekta Union, Bilaspur,
Chhattisgarh – 495555.

....Workman

Versus

The General Manager (O & M)
NTPC, Seepat PO Ujjawal Nagar,
Bilaspur. C.G. - 495555

The Addl. Manager & HR (Head)
M/s Era Infra Engineering Ltd.
C-56/41, Sector – 62,
Noida UP – 201301.

The Project Manager,
Era Infra Engineering Ltd. NTPC,
Seepat Site, P.O. Ujjawal Nagar
Bilaspur. C.G. – 495555

....Management

AWARD

(Passed on this 17th day of October-2022)

1. As per letter dated 09/05/2017 by the Government of India, Ministry of Labour, New Delhi, the reference is received. The reference is made to this Tribunal under Section 10 of I.D. Act, 1947 as per Notification No. L-42011/08/2017 – IR (DU). The dispute under reference relates to:

“Whether the action on the part of M/s Era Infra Engineering Ltd, a contractor working under the principal employer at NTPC, Seepat site in terminating the workman namely Smt. Parmeshwari Bai Ram W/o Shri Madhu Ram and not paying the terminal benefits as espoused by the president of the Chattisgarh Kramchari Mazdoor Ekta Union, Bilaspur is legal and justified as per the provisions of section 25 (F) of ID act? If not, what relief the above named workman is entitled to?”

2. After registering the case on the basis of reference, notices were sent to the parties on addresses mention in the reference. Workman represented through her learned counsel Adv. Shri S.K. Saini. Management No. 1 & 2 represented through their learned counsel Adv. Shri R.C. Shrivastava and Adv. Shri Pradeep Kumar Pandey respectively. Many dates were given for filling of Statement of Claim. No Statement of Claim was filed. The opposite parties also did not file any Written Statement of Defence.

3. Since the initial burden to prove its case is on the workman side in which she has failed. Hence the reference deserves to be answered against her and is answered accordingly.

4. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

P.K. SRIVASTAVA, Presiding Officer

DATE: 17-10-2022

नई दिल्ली, 30 नवम्बर, 2022

का.आ. 1247.—औद्योगिक विवाद अधिनियम (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार महाप्रबंधक (ओ एंड एम) एनटीपीसी, बिलासपुर (सी.जी.); अपर प्रबंधक और मानव संसाधन (प्रमुख), मैसर्स एरा इंफ्रा इंजीनियरिंग लिमिटेड, नोएडा (यू.पी.); परियोजना प्रबंधक, एरा इंफ्रा इंजीनियरिंग लिमिटेड एनटीपीसी, बिलासपुर (सी.जी) के प्रबंधन के संबंध में नियोजकों और श्री श्रीनिवास चतुर्वेदी, द्वारा अध्यक्ष, छत्तीसगढ़ कर्मचारी मजदूर एकता संघ, बिलासपुर, छत्तीसगढ़, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, जबलपुर के पंचाट (संदर्भ सं. CGIT/LC/R/51/2017) को जैसा कि अनुलग्नक में दिखाया गया है, प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 30/10/2022 को प्राप्त हुआ था।

[सं. एल- 42011/09/2017-आईआर-(डीयू)]

डी.के. हिमांशु, अवर सचिव

New Delhi, the 30th November, 2022

S.O. 1247.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. CGIT/LC/R/51/2017) of the Central Government Industrial Tribunal cum Labour-Jabalpur, as shown in the Annexure, in the Industrial dispute between the employers in relation to The General Manager (O & M) NTPC, Bilaspur (C.G.);The Additional Manager & HR (Head), M/s Era Infra Engineering Ltd., Noida (U.P);The Project Manager, Era Infra Engineering Ltd. NTPC, Bilaspur (C.G) and Shri Shrinivas Chaturvedi, Through The President, Chhattisgarh Employees Mazdoor Ekta Sangh, Bilaspur, Chhattisgarh, which was received along with soft copy of the award by the Central Government on 30/10/2022.

[No. L- 42011/09/2017 - IR (DU)]

D.K. HIMANSHU, Under Secy.

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL -CUM -LABOUR COURT,
JABALPUR**

NO. CGIT/LC/R/51/2017

Present: P.K.Srivastava H.J.S.(Retd.)

Shri Shrinivas Chaturvedi,
C/o Shri Om Prakash Gangotri,
President, Chhattisgarh Kramchari
Mazdoor Ekta Union, Bilaspur,
Chhattisgarh – 495555

... Workman

Versus

The General Manager (O & M)
NTPC, Seepat PO Ujjawal Nagar,
Bilaspur. C.G. - 495555
The Addl. Manager & HR (Head)
M/s Era Infra Engineering Ltd.
C-56/41, Sector – 62,
Noida UP – 201301.

The Project Manager,
Era Infra Engineering Ltd. NTPC,
Seepat Site, P.O. Ujjawal Nagar
Bilaspur. C.G. – 495555.

... Management

AWARD**(Passed on this 17th day of October-2022)**

1. As per letter dated 09/05/2017 by the Government of India, Ministry of Labour, New Delhi, the reference is received. The reference is made to this Tribunal under Section 10 of I.D. Act, 1947 as per Notification No. L-42011/09/2017 – IR (DU). The dispute under reference relates to:

“Whether the action on the part of M/s Era Infra Engineering Ltd, a contractor working under the principal employer at NTPC, Seepat site in terminating the workman namely Shri Shrinivas Chaturvedi S/o G.P Ghater and not paying the terminal benefits as espoused by the president of the Chattisgarh Kramchari Mazdoor Ekta Union, Bilaspur is legal and justified as per the provisions of section 25 (F) of ID act? If not, what relief the above named workman is entitled to?

2. After registering the case on the basis of reference, notices were sent to the parties on addresses mention in the reference. Workman represented through her learned counsel Adv. Shri S.K.Saini. Management No. 1 & 2 represented through their learned counsel Adv. Shri R.C. Shrivastava and Adv. Shri Pradeep Kumar Pandey respectively. Many dates were given for filling of Statement of Claim. No Statement of Claim was filed. The opposite parties also did not file any Written Statement of Defence.

3. Since the initial burden to prove its case is on the workman side in which he has failed. Hence the reference deserves to be answered against him and is answered accordingly.

4. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

P.K. SRIVASTAVA, Presiding Officer

DATE: 17-10-2022

नई दिल्ली, 30 नवम्बर, 2022

का.आ. 1248.—औद्योगिक विवाद अधिनियम (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार महाप्रबंधक (ओ एंड एम) एनटीपीसी, बिलासपुर (सी.जी.); अपर प्रबंधक और मानव संसाधन (प्रमुख), मैसर्स एरा इंफ्रा इंजीनियरिंग लिमिटेड, नोएडा (यू.पी); परियोजना प्रबंधक, एरा इंफ्रा इंजीनियरिंग लिमिटेड एनटीपीसी, बिलासपुर (सी.जी) के प्रबंधन के संबंध में नियोजकों और श्रीमती सुकवारा बाई, द्वारा अध्यक्ष, छत्तीसगढ़ कर्मचारी मजदूर एकता संघ, बिलासपुर, छत्तीसगढ़, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, जबलपुर के पंचाट (संदर्भ सं. CGIT/LC/R/52/2017) को जैसा कि अनुलग्नक में दिखाया गया है, प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 30/10/2022 को प्राप्त हुआ था।

[सं. एल- 42011/10/2017-आईआर-(डीयू)]

डी.के. हिमांशु, अवर सचिव

New Delhi, the 30th November, 2022

S.O. 1248.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. CGIT/LC/R/52/2017) of the Central Government Industrial Tribunal cum Labour-Jabalpur, as shown in the Annexure, in the Industrial dispute between the employers in relation to The General Manager (O & M) NTPC, Bilaspur (C.G.);The Additional Manager & HR (Head), M/s Era Infra Engineering Ltd., Noida (U.P);The Project Manager, Era Infra Engineering Ltd. NTPC, Bilaspur

(C.G) and Smt. Sukwara Bai, Through The President, Chhattisgarh Employees Mazdoor Ekta Sangh, Bilaspur, Chhattisgarh, which was received along with soft copy of the award by the Central Government on 30/10/2022.

[No. L- 42011/10/2017 - IR (DU)]

D.K. HIMANSHU, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL -CUM -LABOUR COURT, JABALPUR

NO. CGIT/LC/R/52/2017

Present: P.K. Srivastava H.J.S.(Retd.)

Smt. Sukwara Bai,
C/o Shri Om Prakash Gangotri,
President, Chhattisgarh Kramchari
Mazdoor Ekta Union, Bilaspur,
Chhattisgarh – 495555.

... Workman

Versus

The General Manager (O & M)
NTPC, Seepat PO Ujjawal Nagar,
Bilaspur. C.G. - 495555

The Addl. Manager & HR (Head)
M/s Era Infra Engineering Ltd.
C-56/41, Sector – 62,
Noida UP – 201301.

The Project Manager,
Era Infra Engineering Ltd. NTPC,
Seepat Site, P.O. Ujjawal Nagar
Bilaspur. C.G. – 495555

... Management

AWARD

(Passed on this 17th day of October-2022)

1. As per letter dated 09/05/2017 by the Government of India, Ministry of Labour, New Delhi, the reference is received. The reference is made to this Tribunal under Section 10 of I.D. Act, 1947 as per Notification No. L-42011/10/2017 – IR (DU). The dispute under reference relates to:

“Whether the action on the part of M/s Era Infra Engineering Ltd, a contractor working under the principal employer at NTPC, Seepat site in terminating the workman namely Smt. Sukwara Bai and not paying the terminal benefits as espoused by the president of the Chattisgarh Kramchari Mazdoor Ekta Union, Bilaspur is legal and justified as per the provisions of section 25 (F) of ID act? If not, what relief the above named workman is entitled to?

2. After registering the case on the basis of reference, notices were sent to the parties on addresses mention in the reference. Workman represented through her learned counsel Adv. Shri S.K.Saini. Management No. 1 & 2 represented through their learned counsel Adv. Shri R.C.Shrivastava and Adv. Shri Pradeep Kumar Pandey respectively. Many dates were given for filling of Statement of Claim. No Statement of Claim was filed. The opposite parties also did not file any Written Statement of Defence.

3. Since the initial burden to prove its case is on the workman side in which she has failed. Hence the reference deserves to be answered against her and is answered accordingly.

4. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

P.K. SRIVASTAVA, Presiding Officer

DATE: 17-10-2022

नई दिल्ली, 30 नवम्बर, 2022

का.आ. 1249.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार महाप्रबंधक (ओ एंड एम) एनटीपीसी, बिलासपुर (सी.जी.); अपर प्रबंधक और मानव संसाधन (प्रमुख), मैसर्स एरा इंफ्रा इंजीनियरिंग लिमिटेड, नोएडा (यू.पी.); परियोजना प्रबंधक, एरा इंफ्रा इंजीनियरिंग लिमिटेड एनटीपीसी, बिलासपुर (सी.जी.) के प्रबंधन के संबंध में नियोजकों और श्री विनोद कुमार, द्वारा अध्यक्ष, छत्तीसगढ़ कर्मचारी मजदूर एकता संघ, बिलासपुर, छत्तीसगढ़, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, जबलपुर के पंचाट (संदर्भ सं. CGIT/LC/R/53/2017) को जैसा कि अनुलग्नक में दिखाया गया है, प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 30/10/2022 को प्राप्त हुआ था।

[सं. एल- 42011/17/2017-आईआर-(डीयू)]

डी.के. हिमांशु, अवर सचिव

New Delhi, the 30th November, 2022

S.O. 1249.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. CGIT/LC/R/53/2017) of the Central Government Industrial Tribunal cum Labour-Jabalpur, as shown in the Annexure, in the Industrial dispute between the employers in relation to The General Manager (O & M) NTPC, Bilaspur (C.G.); The Additional Manager & HR (Head), M/s Era Infra Engineering Ltd., Noida (U.P.); The Project Manager, Era Infra Engineering Ltd. NTPC, Bilaspur (C.G) and Shri Vinod Kumar, Through The President, Chhattisgarh Employees Mazdoor Ekta Sangh, Bilaspur, Chhattisgarh, which was received along with soft copy of the award by the Central Government on 30/10/2022.

[No. L-42011/17/2017-IR (DU)]

D.K. HIMANSHU, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL -CUM -LABOUR COURT, JABALPUR NO. CGIT/LC/R/53/2017

Present: P.K. Srivastava H.J.S.(Retd.)

Shri Vinod Kumar,
C/o Shri Om Prakash Gangotri,
President, Chhattisgarh Kramchari
Mazdoor Ekta Union, Bilaspur,
Chhattisgarh – 495555.

... Workman

Versus

The General Manager (O & M)
NTPC, Seepat PO Ujjawal Nagar,
Bilaspur. C.G. - 495555

The Addl. Manager & HR (Head)
M/s Era Infra Engineering Ltd.
C-56/41, Sector – 62,
Noida UP – 201301.

The Project Manager,
Era Infra Engineering Ltd. NTPC,
Seepat Site, P.O. Ujjawal Nagar
Bilaspur. C.G. – 495555

... Management

AWARD

(Passed on this 17th day of October-2022)

1. As per letter dated 09/05/2017 by the Government of India, Ministry of Labour, New Delhi, the reference is received. The reference is made to this Tribunal under Section 10 of I.D. Act, 1947 as per Notification No. L-42011/17/2017 – IR (DU). The dispute under reference relates to:

“Whether the action on the part of M/s Era Infra Engineering Ltd, a contractor working under the principal employer at NTPC, Seepat site in terminating the workman namely Shri Vinod Kumar s/o Shri Bhagela and not paying the terminal benefits as espoused by the president of the Chhattisgarh Kramchari Mazdoor Ekta Union, Bilaspur is legal and justified as per the provisions of section 25 (F) of ID act? If not, what relief the above named workman is entitled to?

2. After registering the case on the basis of reference, notices were sent to the parties on addresses' mention in the reference. Workman represented through her learned counsel Adv. Shri S.K.Saini. Management No. 1 & 2 represented through their learned counsel Adv. Shri R.C.Shrivastava and Adv. Shri Pradeep Kumar Pandey respectively. Many dates were given for filling of Statement of Claim. No Statement of Claim was filed. The opposite parties also did not file any Written Statement of Defence.

3. Since the initial burden to prove its case is on the workman side in which he has failed. Hence the reference deserves to be answered against him and is answered accordingly.

4. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

P.K. SRIVASTAVA, Presiding Officer

DATE: 17-10-2022

नई दिल्ली, 30 नवम्बर, 2022

का.आ. 1250.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार महाप्रबंधक (ओ एंड एम) एनटीपीसी, बिलासपुर (सी.जी.); अपर प्रबंधक और मानव संसाधन (प्रमुख), मैसर्स एरा इंफ्रा इंजीनियरिंग लिमिटेड, नोएडा (यू.पी.); परियोजना प्रबंधक, एरा इंफ्रा इंजीनियरिंग लिमिटेड एनटीपीसी, बिलासपुर (सी.जी.) के प्रबंधन के संबंध में निम्नलिखित नियोजकों और श्री मोहन, द्वारा अध्यक्ष, छत्तीसगढ़ कर्मचारी मजदूर एकता संघ, बिलासपुर, छत्तीसगढ़, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, जबलपुर के पंचाट (संदर्भ सं. CGIT/LC/R/54/2017) को जैसा कि अनुलग्नक में दिखाया गया है, प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 30/10/2022 को प्राप्त हुआ था।

[सं. एल- 42011/18/2017-आईआर-(डीयू)]

डी.के. हिमांशु, अवर सचिव

New Delhi, the 30th November, 2022

S.O. 1250.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. CGIT/LC/R/54/2017) of the Central Government Industrial Tribunal cum Labour-Jabalpur, as shown in the Annexure, in the Industrial dispute between the employers in relation to The General Manager (O & M) NTPC, Bilaspur (C.G.); The Additional Manager & HR (Head), M/s Era Infra Engineering Ltd., Noida (U.P); The Project Manager, Era Infra Engineering Ltd. NTPC, Bilaspur (C.G) and Shri Mohan, Through The President, Chhattisgarh Employees Mazdoor Ekta Sangh, Bilaspur, Chhattisgarh, which was received along with soft copy of the award by the Central Government on 30/10/2022.

[No. L-42011/18/2017-IR (DU)]

D.K. HIMANSHU, Under Secy.

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT,
JABALPUR**

NO. CGIT/LC/R/54/2017

Present: P.K. Srivastava H.J.S.(Retd.)

Shri Mohan,
C/o Shri Om Prakash Gangotri,
President, Chhattisgarh Kramchari
Mazdoor Ekta Union, Bilaspur,
Chhattisgarh – 495555.

....Workman

Versus

The General Manager (O & M)
NTPC, Seepat PO Ujjawal Nagar,
Bilaspur. C.G. - 495555

The Addl. Manager & HR (Head)
M/s Era Infra Engineering Ltd.
C-56/41, Sector – 62,
Noida UP – 201301.

The Project Manager,
Era Infra Engineering Ltd. NTPC,
Seepat Site, P.O. Ujjawal Nagar
Bilaspur. C.G. – 495555

... Management

AWARD**(Passed on this 17th day of October-2022)**

1. As per letter dated 09/05/2017 by the Government of India, Ministry of Labour, New Delhi, the reference is received. The reference is made to this Tribunal under Section 10 of I.D. Act, 1947 as per Notification No. L-42011/18/2017 – IR (DU). The dispute under reference relates to:

“Whether the action on the part of M/s Era Infra Engineering Ltd, a contractor working under the principal employer at NTPC, Seepat site in terminating the workman namely Shri Mohan s/o Shri Jaitram and not paying the terminal benefits as espoused by the president of the Chattisgarh Kramchhari Mazdoor Ekta Union, Bilaspur is legal and justified as per the provisions of section 25 (F) of ID act? If not, what relief the above named workman is entitled to?”

2. After registering the case on the basis of reference, notices were sent to the parties on addresses mention in the reference. Workman represented through her learned counsel Adv. Shri S.K. Saini. Management No. 1 & 2 represented through their learned counsel Adv. Shri R.C. Shrivastava and Adv. Shri Pradeep Kumar Pandey respectively. Many dates were given for filling of Statement of Claim. No Statement of Claim was filed. The opposite parties also did not file any Written Statement of Defence.

3. Since the initial burden to prove its case is on the workman side in which he has failed. Hence the reference deserves to be answered against him and is answered accordingly.

4. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

P.K.SRIVASTAVA, Presiding Officer

DATE: 17-10-2022

नई दिल्ली, 30 नवम्बर, 2022

का.आ. 1251.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार महाप्रबंधक (ओ एंड एम) एनटीपीसी, बिलासपुर (सी.जी.); अपर प्रबंधक और मानव संसाधन (प्रमुख), मैसर्स एरा इंफ्रा इंजीनियरिंग लिमिटेड, नोएडा (यू.पी.); परियोजना प्रबंधक, एरा इंफ्रा इंजीनियरिंग लिमिटेड एनटीपीसी, बिलासपुर (सी.जी.) के प्रबंधन के संबंध में नियोजकों और श्री विनोद कुमार खरे, द्वारा अध्यक्ष, छत्तीसगढ़ कर्मचारी मजदूर एकता संघ, बिलासपुर, छत्तीसगढ़, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, जबलपुर के पंचाट (संदर्भ सं. CGIT/LC/R/55/2017) को जैसा कि अनुलग्नक में दिखाया गया है, प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 30/10/2022 को प्राप्त हुआ था।

[सं. एल- 42011/19/2017-आईआर-(डीयू)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 30th November, 2022

S.O. 1251.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. CGIT/LC/R/55/2017) of the Central Government Industrial Tribunal cum Labour-Jabalpur, as shown in the Annexure, in the Industrial dispute between the employers in relation to The General Manager (O & M) NTPC, Bilaspur (C.G.); The Additional Manager & HR (Head), M/s

Era Infra Engineering Ltd., Noida (U.P); The Project Manager, Era Infra Engineering Ltd. NTPC, Bilaspur (C.G) and Shri Vinod Kumar Khare, Through The President, Chhattisgarh Employees Mazdoor Ekta Sangh, Bilaspur, Chhattisgarh, which was received along with soft copy of the award by the Central Government on 30/10/2022.

[No. L-42011/19/2017-IR (DU)]

D.K. HIMANSHU, Under Secy.

ANNEXURE
BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
JABALPUR
NO. CGIT/LC/R/55/2017

Present: P.K.Srivastava H.J.S. (Retd.)

Shri Vinod Kumar Khare,
C/o Shri Om Prakash Gangotri,
President, Chhattisgarh Kramchari
Mazdoor Ekta Union, Bilaspur,
Chhattisgarh – 495555.

... Workman

Versus

The General Manager (O & M)
NTPC, Seepat PO Ujjawal Nagar,
Bilaspur. C.G. - 495555

The Addl. Manager & HR (Head)
M/s Era Infra Engineering Ltd.
C-56/41, Sector – 62,
Noida UP – 201301.

The Project Manager,
Era Infra Engineering Ltd. NTPC,
Seepat Site, P.O. Ujjawal Nagar
Bilaspur. C.G. – 495555

... Management

AWARD

(Passed on this 17th day of October-2022)

1. As per letter dated 02/15-05-2017 by the Government of India, Ministry of Labour, New Delhi, the reference is received. The reference is made to this Tribunal under Section 10 of I.D. Act, 1947 as per Notification No. L-42011/19/2017 – IR (DU). The dispute under reference relates to:

“Whether the action on the part of M/s Era Infra Engineering Ltd, a contractor working under the principal employer at NTPC, Seepat site in terminating the workman namely Shri Vinod Kumar Khare s/o Shri Banshi Lal and not paying the terminal benefits as espoused by the president of the Chattisgarh Kramchari Mazdoor Ekta Union, Bilaspur is legal and justified as per the provisions of section 25 (F) of ID act? If not, what relief the above named workman is entitled to?

2. After registering the case on the basis of reference, notices were sent to the parties on addresses mention in the reference. Workman represented through her learned counsel Adv. Shri S.K.Saini. Management No. 1 & 2 represented through their learned counsel Adv. Shri R.C.Shrivastava and Adv. Shri Pradeep Kumar Pandey respectively. Many dates were given for filling of Statement of Claim. No Statement of Claim was filed. The opposite parties also did not file any Written Statement of Defence.

3. Since the initial burden to prove its case is on the workman side in which he has failed. Hence the reference deserves to be answered against him and is answered accordingly.

4. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

P.K. SRIVASTAVA, Presiding Officer

DATE: 17-10-2022

नई दिल्ली, 30 नवम्बर, 2022

का.आ. 1252.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार महाप्रबंधक (ओ एंड एम) एनटीपीसी, बिलासपुर (सी.जी.); अपर प्रबंधक और मानव संसाधन (प्रमुख), मैसर्स एरा इंफ्रा इंजीनियरिंग लिमिटेड, नोएडा (यू.पी.); परियोजना प्रबंधक, एरा इंफ्रा इंजीनियरिंग लिमिटेड एनटीपीसी, बिलासपुर (सी.जी.) के प्रबंधन के संबंध में नियोजकों और श्रीमती कमला, द्वारा अध्यक्ष, छत्तीसगढ़ कर्मचारी मजदूर एकता संघ, बिलासपुर, छत्तीसगढ़, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, जबलपुर के पंचाट (संदर्भ सं. CGIT/LC/R/57/2017) को जैसा कि अनुलग्नक में दिखाया गया है, प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 30/10/2022 को प्राप्त हुआ था।

[सं. एल- 42011/21/2017 - आईआर-(डीयू)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 30th November, 2022

S.O. 1252.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. CGIT/LC/R/57/2017) of the Central Government Industrial Tribunal cum Labour-Jabalpur, as shown in the Annexure, in the Industrial dispute between the employers in relation to The General Manager (O & M) NTPC, Bilaspur (C.G.); The Additional Manager & HR (Head), M/s Era Infra Engineering Ltd., Noida (U.P); The Project Manager, Era Infra Engineering Ltd. NTPC, Bilaspur (C.G) and Smt. Kamla, Through The President, Chhattisgarh Employees Mazdoor Ekta Sangh, Bilaspur, Chhattisgarh, which was received along with soft copy of the award by the Central Government on 30/10/2022.

[No. L- 42011/21/2017 - IR (DU)]

D.K. HIMANSHU, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL- CUM- LABOUR COURT, JABALPUR

NO. CGIT/LC/R/57/2017

Present: P. K. Srivastava H.J.S.(Retd.)

Smt. Kamla,
C/o Shri Om Prakash Gangotri,
President, Chhattisgarh Kramchari
Mazdoor Ekta Union, Bilaspur,
Chhattisgarh – 495555.

...Workman

Versus

The General Manager (O & M)
NTPC, Seepat PO Ujjawal Nagar,
Bilaspur. C.G. - 495555

The Addl. Manager & HR (Head)
M/s Era Infra Engineering Ltd.
C-56/41, Sector – 62,
Noida UP – 201301.

The Project Manager,
Era Infra Engineering Ltd. NTPC,
Seepat Site, P.O. Ujjawal Nagar
Bilaspur. C.G. – 495555.

... Management

AWARD

(Passed on this 17th day of October-2022)

1. As per letter dated 02/15-05-2017 by the Government of India, Ministry of Labour, New Delhi, the reference is received. The reference is made to this Tribunal under Section 10 of I.D. Act, 1947 as per Notification No. L-42011/21/2017 – IR (DU). The dispute under reference relates to:

“Whether the action on the part of M/s Era Infra Engineering Ltd, a contractor working under the principal employer at NTPC, Seepat site in terminating the workman namely

Smt. Kamla w/o Shri Mohan and not paying the terminal benefits as espoused by the president of the Chattisgarh Kramchhari Mazdoor Ekta Union, Bilaspur is legal and justified as per the provisions of section 25 (F) of ID act? If not, what relief the above named workman is entitled to?

2. After registering the case on the basis of reference, notices were sent to the parties on addresses mention in the reference. Workman represented through her learned counsel Adv. Shri S.K. Saini. Management No. 1 & 2 represented through their learned counsel Adv. Shri R.C. Shrivastava and Adv. Shri Pradeep Kumar Pandey respectively. Many dates were given for filling of Statement of Claim. No Statement of Claim was filed. The opposite parties also did not file any Written Statement of Defence.

3. Since the initial burden to prove its case is on the workman side in which she has failed. Hence the reference deserves to be answered against her and is answered accordingly.

4. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

P. K. SRIVASTAVA, Presiding Officer

DATE: 17-10-2022

नई दिल्ली, 30 नवम्बर, 2022

का.आ. 1253.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार महाप्रबंधक (ओ एंड एम) एनटीपीसी, बिलासपुर (सी.जी.); अपर प्रबंधक और मानव संसाधन (प्रमुख), मैसर्स एरा इंफ्रा इंजीनियरिंग लिमिटेड, नोएडा (यू.पी.); परियोजना प्रबंधक, एरा इंफ्रा इंजीनियरिंग लिमिटेड एनटीपीसी, बिलासपुर (सी.जी.) के प्रबंधन के संबद्ध नियोजकों और श्री धर्मेन्द्र, द्वारा अध्यक्ष, छत्तीसगढ़ कर्मचारी मजदूर एकता संघ, बिलासपुर, छत्तीसगढ़, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, जबलपुर के पंचाट (संदर्भ सं. CGIT/LC/R/58/2017) को जैसा कि अनुलग्नक में दिखाया गया है, प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 30/10/2022 को प्राप्त हुआ था।

[सं. एल- 42011/22/2017 - आईआर-(डीयू)]

डी. के. हिमांशु, अवर सचिव

New Delhi, the 30th November, 2022

S.O. 1253.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. CGIT/LC/R/58/2017) of the Central Government Industrial Tribunal cum Labour-Jabalpur, as shown in the Annexure, in the Industrial dispute between the employers in relation to The General Manager (O & M) NTPC, Bilaspur (C.G.); The Additional Manager & HR (Head), M/s Era Infra Engineering Ltd., Noida (U.P); The Project Manager, Era Infra Engineering Ltd. NTPC, Bilaspur (C.G) and Shri Dharmendra, Through The President, Chhattisgarh Employees Mazdoor Ekta Sangh, Bilaspur, Chhattisgarh, which was received along with soft copy of the award by the Central Government on 30/10/2022.

[No. L - 42011/22/2017 - IR (DU)]

D.K. HIMANSHU, Under Secy.

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT,
JABALPUR**

NO. CGIT/LC/R/58/2017

Present: P.K. Srivastava H.J.S.(Retd.)

Shri Dharmendra,
C/o Shri Om Prakash Gangotri,
President, Chhattisgarh Kramchhari
Mazdoor Ekta Union, Bilaspur,
Chhattisgarh – 495555.

....Workman

Versus

The General Manager (O & M)
NTPC, Seepat PO Ujjawal Nagar,
Bilaspur. C.G. - 495555

The Addl. Manager & HR (Head)
M/s Era Infra Engineering Ltd.
C-56/41, Sector – 62,
Noida UP – 201301.

The Project Manager,
Era Infra Engineering Ltd. NTPC,
Seepat Site, P.O. Ujjawal Nagar
Bilaspur. C.G. – 495555

... Management

AWARD

(Passed on this 17th day of October-2022)

1. As per letter dated 02/15-05-2017 by the Government of India, Ministry of Labour, New Delhi, the reference is received. The reference is made to this Tribunal under Section 10 of I.D. Act, 1947 as per Notification No. L-42011/22/2017 – IR (DU). The dispute under reference relates to:

“Whether the action on the part of M/s Era Infra Engineering Ltd, a contractor working under the principal employer at NTPC, Seepat site in terminating the workman namely shri Dharmendra s/o Shri Sonalal and not paying the terminal benefits as espoused by the president of the Chattisgarh Kramchari Mazdoor Ekta Union, Bilaspur is legal and justified as per the provisions of section 25 (F) of ID act? If not, what relief the above named workman is entitled to?

2. After registering the case on the basis of reference, notices were sent to the parties on addresses mention in the reference. Workman represented through his learned counsel Adv. Shri S.K. Saini. Management No. 1 & 2 represented through their learned counsel Adv. Shri R.C. Shrivastava and Adv. Shri Pradeep Kumar Pandey respectively. Many dates were given for filling of Statement of Claim. No Statement of Claim was filed. The opposite parties also did not file any Written Statement of Defence.

3. Since the initial burden to prove its case is on the workman side in which he has failed. Hence the reference deserves to be answered against him and is answered accordingly.

4. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

P.K. SRIVASTAVA, Presiding Officer

DATE: 17-10-2022

नई दिल्ली, 30 नवम्बर, 2022

का.आ. 1254.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार महाप्रबंधक (ओ एंड एम) एनटीपीसी, बिलासपुर (सी.जी.); अपर प्रबंधक और मानव संसाधन (प्रमुख), मैसर्स एरा इंफ्रा इंजीनियरिंग लिमिटेड, नोएडा (यू.पी.); परियोजना प्रबंधक, एरा इंफ्रा इंजीनियरिंग लिमिटेड एनटीपीसी, बिलासपुर (सी.जी.) के प्रबंधन के संबंध में नियोजकों और अध्यक्ष, छत्तीसगढ़ कर्मचारी मजदूर एकता संघ, बिलासपुर, छत्तीसगढ़, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, जबलपुर के पंचाट (संदर्भ सं. CGIT/LC/R/141/2017) को जैसा कि अनुलग्नक में दिखाया गया है, प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 30/10/2022 को प्राप्त हुआ था।

[सं. एल- 42011/109/2017- आईआर-(डीयू)]

डी.के. हिमांशु, अवर सचिव

New Delhi, the 30th November, 2022

S.O. 1254.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. CGIT/LC/R/141/2017) of the Central Government Industrial Tribunal cum Labour-Jabalpur, as shown in the Annexure, in the Industrial dispute between the employers in relation to The General Manager (O & M) NTPC, Bilaspur (C.G.); The Additional Manager & HR (Head), M/s Era Infra Engineering Ltd., Noida (U.P); The Project Manager, Era Infra Engineering Ltd. NTPC, Bilaspur

(C.G) and The President, Chhattisgarh Employees Mazdoor Ekta Sangh, Bilaspur, Chhattisgarh, which was received along with soft copy of the award by the Central Government on 30/10/2022.

[No. L- 42011/109/2017- IR (DU)]

D.K. HIMANSHU, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT, JABALPUR

NO. CGIT/LC/R/141/2017

Present: P.K. Srivastava H.J.S..(Retd)

Shri Om Prakash Gangotri
President,
Chhattisgarh Kramchhari Mazdoor Ekta Union,
Bilaspur (C.G.)-495006

... Workman

Versus

The Project Manager
Era Infra Engineering Ltd.
NTPC, Seepat, PO-Ujjwal Nagar,
District Bilaspur (CG-495006)

The Additional Manager & HR (Head)
M/s Era Infra Engineering Ltd.
C-56/41.Sector 62, Noida (UP)-201301.
The General Manager (O&M)
NTPC Seepat, PO-Ujjwal Nagar,
Bilaspur (C.G.) 495006

... Management

AWARD

(Passed on this 10th day of October-2022.)

1. As per letter dated 24/10/2017 by the Government of India, Ministry of Labour, New Delhi, the reference is received. The reference is made to this Tribunal under Section -10 of I.D.Act, 1947 as per Notification No. L-42011/109/2017-IR(DU). The dispute under reference relates to:

“Whether the action of the management on the part of M/s Era Infra Engineering Ltd. A contractor working under the Principal Employer at NTPC, Seepat site in terminating the workman namely Shri Hemraj singh S/o Shri Uday Singh and not paying the terminal benefits as espoused by the President of Chhattisgarh Karamchhari Mazdoor Ekta Union, Bilaspur is legal and justified without complying the provisions of Section 25(f) of the ID Act? If Not, what relief the above named workman is entitled to? .”

2. After registering the case on the basis of reference, notices were sent to the parties. Parties were served. They appeared through their learned counsel.

3. The workman did not file any statement of claim. Management also preferred not to file any written statement of defence.

4. **The reference is the issue for determination in the case in hand.**

5. The initial burden to prove the claim is on the workman in which he has miserably failed, hence holding the claim of the workman not proved the reference is answered against the workman.

6. On the basis of the above discussion, following award is passed:-

A. The action of the management as mentioned in the reference is held to be just and proper.

B. The workman is held entitled to no relief.

7. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

P.K. SRIVASTAVA, Presiding Officer

DATE: 10-10-2022

नई दिल्ली, 30 नवम्बर, 2022

का.आ. 1255.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मेसर्स एनटीपीसी जीई पावर सर्विसेज प्रा. लिमिटेड, नोएडा, गाजियाबाद (यूपी); मेसर्स सावित्री कंस्ट्रक्शन, कोरबा (छ.ग.); कार्यकारी निदेशक, एनटीपीसी लिमिटेड लारा, रायगढ़ (छ.ग.) के प्रबंधन के संबद्ध नियोजकों और श्री सरोज कुमार गुप्ता और 58 अन्य, कामगार, के बीच अनुबंध में निर्दिष्ट केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, जबलपुर के पंचाट (संदर्भ सं. CGIT/LC/R/66/2020) को जैसा कि अनुलग्नक में दिखाया गया है, प्रकाशित करती है जो केन्द्रीय सरकार को सॉफ्ट कॉपी के साथ 30/10/2022 को प्राप्त हुआ था।

[सं. एल- 42011/123/2020-आईआर-(डीयू)]

डी.के. हिमांशु, अवर सचिव

New Delhi, the 30th November, 2022

S.O. 1255.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. CGIT/LC/R/66/2020) of the Central Government Industrial Tribunal cum Labour-Jabalpur, as shown in the Annexure, in the Industrial dispute between the employers in relation to M/s NTPC GE Power Services Pvt. Ltd., Noida, Ghaziabad (U.P.); M/s Savitri Construction, Korba (Chhattisgarh); The Executive Director, NTPC Ltd. Lara, Raigarh (Chhattisgarh) and Shri Saroj Kumar Gupta & 58 others, Worker, which was received along with soft copy of the award by the Central Government on 30/10/2022.

[No. L- 42011/123/2020 - IR (DU)]

D.K. HIMANSHU, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT, JABALPUR

NO. CGIT/LC/R/66/2020

Present: P.K. Srivastava H.J.S.(Retd.)

Shri Saroj Kumar Gupta & 58 others,
At/Po - Tinmini, Block - Pussore,
Raigarh, Chhattisgarh - 496001

....Workman

Versus

M/s NTPC GE Power Services Pvt. Ltd.,
6th Floor, Tower B, Indian Glycols Ltd. Building,
Plot No.2, B, Near Lotus Valley School,
Sector - 126, Noida, Ghaziabad (U.P.) - 201303

M/s Savitri Construction,
Mig/96, Shivaji Nagar, Korba,
Korba (Chhattisgarh) - 495400

The Executive Director,
NTPC Ltd. Lara,
Vill - Chhapora, P.O. - Pussore,
Raigarh (Chhattisgarh) - 496001

... Management

AWARD

(Passed on this 17th day of October-2022)

1. As per letter dated 06-11-2020 by the Government of India, Ministry of Labour, New Delhi, the reference is received. The reference is made to this Tribunal under Section 10 of I.D. Act, 1947 as per Notification No. L-42011/123/2020 - IR (DU). The dispute under reference relates to:

"Whether the action of the management of M/s. Savitri Construction (Sub contractor), M/s. NTPC GE Power Service Pvt. Ltd (Main Contractor) and NTPC Ltd, Lara, Raigarh (Principal Employer) of not making payment of terminal dues to Sh. Saroj Kumar Gupta and 58 other workers as per the list (Annexure-A-4) is proper, legal and justified? If not, to what relief the workers are entitled to and what directions, if any, are necessary in the matter?"

2. After registering the case on the basis of reference, notices were sent to the parties on addresses mention in the reference and were served on them.. Workman and 03rd party M/s Savitri Construction failed to appear and participate in reference proceeding. Adv. Shri Aditya Pratap Singh and Adv. Shri R.C.Shrivastava represented for M/s NTPC GE Power Services Pvt. Ltd., and NTPC Ltd. Lara respectively. Many dates were given for filling of Statement of Claim. No Statement of Claim was filed. The opposite parties also did not file any Written Statement of Defence.

3. Since the initial burden to prove its case is on the workman side in which he has failed. Hence the reference deserves to be answered against him and is answered accordingly.

4. Let the copies of the award be sent to the Government of India, Ministry of Labour & Employment as per rules.

P. K. SRIVASTAVA, Presiding Officer

DATE: 17-10-2022

नई दिल्ली, 2 दिसम्बर, 2022

का.आ. 1256.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मेसर्स तमिलनाडु मिनरल्स लिमिटेड, चेन्नई के प्रबंधन के संबद्ध नियोजकों और श्री वी. रामास्वामी, सलेम बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, चेन्नई के पंचाट (संदर्भ सं. 521/2001) को प्रकाशित करती है।

[सं. एल -29012/37/1998-IR(M)]

आशीष कुमार यादव, अवर सचिव

New Delhi, the 2nd December, 2022

S.O. 1256.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 521/2001) of the Central Government Industrial Tribunal/Labour Court, Chennai now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s Tamilnadu Minerals Ltd., Chennai and Shri V. Ramaswamy, Salem.

[No. L- 29012/37/1998-IR(M)]

ASHISH KUMAR YADAV, Under Secy.

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT
CHENNAI**

ID No. 521/2001

Present: DIPTI MOHAPATRA, LL.M. PRESIDING OFFICER

Date: 22.09.2022

Sh. V. Ramaswamy
Seeliampatti
Attur Taluk
Salem-636001

....1st Party/Petitioner

AND

M/s Tamilnadu Minerals Ltd
The Chairman-cum-Managing Director
31. Kamarajar Salai, TWAD House
Chepauk, PO 2961
Chennai-600005

....2nd Party/Respondent

Appearance:

For the First Party Petitioner
For the Second Party Respondent

....Advocate, Sri Ajoy Khose
... Advocate, Sri T.R. Sathiyamohan

AWARD

1. The Central Government, Ministry of Labour & Employment vide its Order No. L-29012/37/98/IR(M) dtd. 08.09.1998 referred the following Industrial Dispute to this Tribunal for adjudication.

The schedule mentioned in that order is:

“Whether Shri V. Ramasamy, Ex-Chisleman worked on piece rate basis is a workman within the meaning of Section 2(S) of Industrial Dispute Act, 1947? If Shri V. Ramasamy is a workman, whether the action of management of Tamil Nadu Minerals Ltd., Chennai in denying the employment to him with effect from December, 1994 is justified or not? If not justified, to what relief Shri V. Ramasamy is entitled?”

2. It is pertinent to mention that pursuant to the order of Ministry of Labour and Employment, Government of India, the case record was transferred to CGIT by the State Industrial Tribunal vide its letter dtd 25.01.2001. On receipt, the record was taken to file as ID 521/2001 on dtd. 19.02.2001.

3. Since the claim Statement and the Counter Statement have already been filed by both the parties prior to the receipt of the Record from State Tribunal, due order was passed for issuance of Notice to the Representing Counsel fixing the case to 08.03.2001. The case was posted to several dates for almost for two years for the same purpose. On 24.07.2002, the Representing Counsels for both parties were present and Memo was filed informing that the Hon'ble Court granted stay of the proceedings which is supported vide Order of the Hon'ble Court in WP 25370/2002 and WMP 34858/2002 dtd. 17.07.2002. The proceeding was stayed till a Common Order of the Hon'ble Court dismissing the Writ Petition No. 12334/2004 and WMP 14413/2004 dated 03.11.2020 (received on 11.02.2021) in respect of entire batch cases including the case in hand. Accordingly, the case was re-scheduled for further proceeding vide order dtd. 13.04.2021. The case was listed for further proceeding. Due information was provided to the parties through the official website and through Notice Board. There was change of Vakalat. The Learned Counsel sought for time to produce the Petitioner and to file Affidavit Evidence. Despite of several adjournments from the date of aforesaid High Court Order (Almost 8 adjournments) till 30.04.2022, neither the Petitioner appeared nor filed any Affidavit evidence. However without resorting to any coercive steps against the Petitioner, he was afforded with two more chances vide dtd. 31.05.2022 and 13.06.2022. The Petitioner did not turn up on those dates. On the other hand the Learned Counsel for the Petitioner submitted “No Instruction” and prays to dispose of the proceeding as deems fit. None on behalf of the Respondent was present. Since the Hon'ble Court directed for expeditious disposal, the Tribunal viewed sympathetically and afforded both parties to file their respective Affidavit Evidence listing the case to 15.06.2022 and 29.06.2022. The Petitioner did not turn up on those dates nor filed Affidavit Evidence. None appeared for Respondent. However, for the interest of justice the case was finally listed to 11.07.2022. Even on that day, the Petitioner did not turn up nor filed any Affidavit Evidence.

4 The material borne out from the discussion in preceding paragraphs, undoubtedly projects the fact that the Petitioner is not interested to proceed with the case. It is held that there exists no dispute for adjudication as referred by the Appropriate Govt.

5. In the result the reference is answered against the Petitioner.

6. An Award is passed accordingly.

(Dictated and transcribed by PA and corrected and pronounced in the open court on this day the 22.09.2022)

Witnesses Examined:

For the 1st Party Petitioner : Nil

For the 2nd Party Respondent : Nil

Documents Marked:**On the Petitioner & Management side** : Nil

DIPTI MOHAPATRA, Presiding Officer

नई दिल्ली, 2 दिसम्बर, 2022

का.आ. 1257.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मेसर्स तमिलनाडु मिनरल्स लिमिटेड, चेन्नई के प्रबंधन के संबद्ध नियोजकों और श्री एल. पेरियासामी, सलेम बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, चेन्नई के पंचाट (संदर्भ सं. 522/2001) को प्रकाशित करती है।

[सं. एल-29012/41/1998-IR(M)]

आशीष कुमार यादव, अवर सचिव

New Delhi, the 2nd December, 2022

S.O. 1257.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 522/2001) of the Central Government Industrial Tribunal/Labour Court, Chennai now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s Tamilnadu Minerals Ltd., Chennai and Shri L. Periasamy, Salem.

[No. L-29012/41/1998-IR(M)]

ASHISH KUMAR YADAV, Under Secy.

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM LABOUR COURT
CHENNAI****ID No. 522/2001****Present:** DIPTI MOHAPATRA, LL.M. Presiding Officer**Date: 22.09.2022**

Sh. Periasamy

Melthombai, Keeripatti Post

Attur Taluk

Salem-636001

... 1st Party/Petitioner**AND**

M/s Tamilnadu Minerals Ltd

The Chairman-cum-Managing Director

31. Kamarajar Salai, TWAD House

Chepauk, PO 2961

Chennai-600005

... 2nd Party/Respondent**Appearance:**

For the First Party Petitioner

... Advocate, Sri Ajoy Khose

For the Second Party Respondent

... Advocate, Sri T.R. Sathiyamohan

AWARD

The Central Government, Ministry of Labour & Employment vide its Order No. L-29012/41/98/IR(M) dtd. 08.09.1998 referred the following Industrial Dispute to this Tribunal for adjudication.

The schedule mentioned in that order is:

“Whether Shri L.. Periasamy, Ex-Chisleman worked on piece rate basis is a workman within the meaning of Section 2(S) of Industrial Dispute Act, 1947? If Shri L. Periasamy is a workman, whether the action of management of Tamil Nadu Minerals Ltd., Chennai in denying the employment to him with effect from December, 1994 is justified or not? If not justified, to what relief Shri L. Periasamy is entitled?”

2. It is pertinent to mention that pursuant to the order of Ministry of Labour and Employment, Government of India, the case record was transferred to CGIT by the State Industrial Tribunal vide its letter dtd 25.01.2021. On receipt, the record was taken to file as ID 522/2001 on dtd. 19.02.2001.
3. Since the claim Statement and the Counter Statement have already been filed by both the parties prior to the receipt of the Record from State Tribunal, due order was passed for issuance of Notice to the Representing Counsel fixing the case to 08.03.2001. The case was posted to several dates for almost for two years for the same purpose. On 24.07.2002, the Representing Counsels for both parties were present and Memo was filed informing that the Hon'ble Court granted stay of the proceedings which is supported vide Order of the Hon'ble Court in WP 25370/2002 and WMP 34858/2002 dtd. 17.07.2002. The proceeding was stayed till a Common Order of the Hon'ble Court dismissing the Writ Petition No. 12334/2004 and WMP 14413/2004 dated 03.11.2020 (received on 11.02.2021) in respect of entire batch cases including the case in hand. Accordingly, the case was re-scheduled for further proceeding vide order dtd. 13.04.2021. The case was listed for further proceeding. Due information was provided to the parties through the official website and through Notice Board. There was change of Vakalat. The Learned Counsel sought for time to produce the Petitioner and to file Affidavit Evidence. Despite of several adjournments from the date of aforesaid High Court Order (Almost 8 adjournments) till 28.04.2022, neither the Petitioner appeared nor filed any Affidavit evidence. However without resorting to any coercive steps against the Petitioner, he was afforded with two more chances vide dtd. 31.05.2022 and 13.06.2022. The Petitioner did not turn up on those dates. On the other hand the Learned Counsel for the Petitioner submitted "No Instruction" and prays to dispose of the proceeding as deems fit. None on behalf of the Respondent was present. Since the Hon'ble Court directed for expeditious disposal, the Tribunal viewed sympathetically and afforded both parties to file their respective Affidavit Evidence listing the case to 15.06.2022 and 29.06.2022. The Petitioner did not turn up on those dates nor filed Affidavit Evidence. None appeared for Respondent. However, for the interest of justice the case was finally listed to 11.07.2022. Even on that day, the Petitioner did not turn up nor filed any Affidavit Evidence.
4. The material borne out from the discussion in preceding paragraphs, undoubtedly projects the fact that the Petitioner is not interested to proceed with the case. It is held that there exists no dispute for adjudication as referred by the Appropriate Govt.
5. In the result the reference is answered against the Petitioner.
6. An Award is passed accordingly.

(Dictated and transcribed by PA and corrected and pronounced in the open court on this day the 22.09.2022)

Witnesses Examined:

For the 1st Party Petitioner : Nil
 For the 2nd Party Respondent : Nil

Documents Marked:

On the Petitioner & Management side : Nil

DIPTI MOHAPATRA, Presiding Officer

नई दिल्ली, 2 दिसम्बर, 2022

का.आ. 1258.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मेसर्स तमिलनाडु मिनरल्स लिमिटेड, चेन्नई के प्रबंधन के संबद्ध नियोजकों और श्री पी. कृष्णन, सलेम बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, चेन्नई के पंचाट (संदर्भ सं. 523/2001) को प्रकाशित करती है।

[सं. एल-29012/38/1998-IR(M)]

आशीष कुमार यादव, अवर सचिव

New Delhi, the 2nd December, 2022

S.O. 1258.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.523/2001) of the Central Government Industrial

Tribunal/Labour Court, Chennai now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s Tamilnadu Minerals Ltd., Chennai and Shri P. Krishnan, Salem.

[No. L-29012/38/1998-IR(M)]

ASHISH KUMAR YADAV, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL- CUM - LABOUR COURT

CHENNAI

ID No. 523/2001

Present: DIPTI MOHAPATRA, LL.M. PRESIDING OFFICER

Date: 22.09.2022

Sh. P. Krishnan
Senguttaikadu, Keeripatti Post
Attur Taluk
Salem-636001

... 1st Party/Petitioner

AND

M/s Tamilnadu Minerals Ltd
The Chairman-cum-Managing Director
31. Kamarajar Salai, TWAD House
Chepauk, PO 2961
Chennai-600005

... 2nd Party/Respondent

Appearance:

For the First Party Petitioner

... Advocate, Sri Ajoy Khose

For the Second Party Respondent

... Advocate, Sri T.R. Sathiyamohan

AWARD

The Central Government, Ministry of Labour & Employment vide its Order No. L-29012/38/98/IR (M) dtd. 08.09.1998 referred the following Industrial Dispute to this Tribunal for adjudication.

The schedule mentioned in that order is:

“Whether Shri P. Krishnan, Ex-Chisleman worked on piece rate basis is a workman within the meaning of Section 2(S) of Industrial Dispute Act, 1947? If Shri P. Krishnan is a workman, whether the action of management of Tamil Nadu Minerals Ltd., Chennai in denying the employment to him with effect from December, 1994 is justified or not? If not justified, to what relief Shri P. Krishnan is entitled?”

2. It is pertinent to mention that pursuant to the order of Ministry of Labour and Employment, Government of India, the case record was transferred to CGIT by the State Industrial Tribunal vide its letter dtd 25.01.2021. On receipt, the record was taken to file as ID 523/2001 on dtd. 20.02.2001.

3. Since the claim Statement and the Counter Statement have already been filed by both the parties prior to the receipt of the Record from State Tribunal, due order was passed for issuance of Notice to the Representing Counsel fixing the case to 08.03.2001. The case was posted to several dates for almost for two years for the same purpose. On 24.07.2002, the Representing Counsels for both parties were present and Memo was filed informing that the Hon`ble Court granted stay of the proceedings which is supported vide Order of the Hon`ble Court in WP 25370/2002 and WMP 34858/2002 dtd. 17.07.2002. The proceeding was stayed till a Common Order of the Hon`ble Court dismissing the Writ Petition No. 12334/2004 and WMP 14413/2004 dated 03.11.2020 (received on 11.02.2021) in respect of entire batch cases including the case in hand. Accordingly, the casewas re-scheduled for further proceeding vide order dtd. 13.04.2021. The case was listed for further proceeding. Due information was provided to the parties through the official website and through Notice Board. There was change of Vakalat. The Learned Counsel sought for time to produce the Petitioner and to file Affidavit Evidence. Despite of several adjournments from the date of aforesaid High Court Order (Almost 8 adjournments) till 28.04.2022, neither the Petitioner appeared nor filed any Affidavit evidence. However

without resorting to any coercive steps against the Petitioner, he was afforded with two more chances vide dtd. 31.05.2022 and 13.06.2022. The Petitioner did not turn up on those dates. On the other hand the Learned Counsel for the Petitioner submitted "No Instruction" and prays to dispose of the proceeding as deems fit. None on behalf of the Respondent was present. Since the Hon'ble Court directed for expeditious disposal, the Tribunal viewed sympathetically and afforded both parties to file their respective Affidavit Evidence listing the case to 15.06.2022 and 29.06.2022. The Petitioner did not turn up on those dates nor filed Affidavit Evidence. None appeared for Respondent. However, for the interest of justice the case was finally listed to 11.07.2022. Even on that day, the Petitioner did not turn up nor filed any Affidavit Evidence.

4. The material borne out from the discussion in preceding paragraphs, undoubtedly projects the fact that the Petitioner is not interested to proceed with the case. It is held that there exists no dispute for adjudication as referred by the Appropriate Govt.

5. In the result the reference is answered against the Petitioner.

6. An Award is passed accordingly.

7. (Dictated and transcribed by PA and corrected and pronounced in the open court on this day the 22.09.2022)

Witnesses Examined:

For the 1st Party Petitioner : Nil

For the 2nd Party Respondent : Nil

Documents Marked:

On the Petitioner & Management side : Nil

DIPTI MOHAPATRA, Presiding Officer

नई दिल्ली, 2 दिसम्बर, 2022

का.आ. 1259.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मेसर्स तमिलनाडु मिनरल्स लिमिटेड, चेन्नई के प्रबंधन के संबद्ध नियोजकों और श्री आर. राजमाइकम, पुत्र श्री रामलिंगम, सलेम बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय, चेन्नई के पंचाट (संदर्भ सं. 524/2001) को प्रकाशित करती है।

[सं. एल-29012/43/1998-IR(M)]

आशीष कुमार यादव, अवर सचिव

New Delhi, the 2nd December, 2022

S.O. 1259.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 524/2001) of the Central Government Industrial Tribunal/Labour Court, Chennai now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s Tamilnadu Minerals Ltd., Chennai and Shri R. Rajamaickam, S/o Shri Ramalingam, Salem.

[No. L-29012/43/1998-IR(M)]

ASHISH KUMAR YADAV, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT

CHENNAI

ID No. 524/2001

Present: DIPTI MOHAPATRA, LL.M. PRESIDING OFFICER

Date: 22.09.2022

Sh. R. Rajamanickam
S/o Ramalingam

Ecchampatti, Seeliampatti Post
Attur Taluk
Salem-636001

... 1st Party/Petitioner

AND

M/s Tamilnadu Minerals Ltd
The Chairman-cum-Managing Director
31. Kamarajar Salai, TWAD House
Chepauk, PO 2961
Chennai-600005

... 2nd Party/Respondent

Appearance:

For the First Party Petitioner

... Advocate, Sri Ajoy Khose

For the Second Party Respondent

... Advocate, Sri T.R. Sathiyamohan

AWARD

The Central Government, Ministry of Labour & Employment vide its Order No. L-29012/43/98/IR (M) dtd. 08.09.1998 referred the following Industrial Dispute to this Tribunal for adjudication.

The schedule mentioned in that order is:

“Whether Shri R. Rajamanickam, Ex-Chisleman worked on piece rate basis is a workman within the meaning of Section 2(S) of Industrial Dispute Act, 1947? If Shri R. Rajamanickam is a workman, whether the action of management of Tamil Nadu Minerals Ltd., Chennai in denying the employment to him with effect from December, 1994 is justified or not? If not justified, to what relief Shri R. Rajamanickam is entitled?”

2. It is pertinent to mention that pursuant to the order of Ministry of Labour and Employment, Government of India, the case record was transferred to CGIT by the State Industrial Tribunal vide its letter dtd 25.01.2021. On receipt, the record was taken to file as ID 524/2001 on dtd. 20.02.2001.

3. Since the claim Statement and the Counter Statement have already been filed by both the parties prior to the receipt of the Record from State Tribunal, due order was passed for issuance of Notice to the Representing Counsel fixing the case to 09.03.2001. The case was posted to several dates for almost for two years for the same purpose. On 24.07.2002, the Representing Counsels for both parties were present and Memo was filed informing that the Hon'ble Court granted stay of the proceedings which is supported vide Order of the Hon'ble Court in WP 25370/2002 and WMP 34858/2002 dtd. 17.07.2002. The proceeding was stayed till a Common Order of the Hon'ble Court dismissing the Writ Petition No. 12334/2004 and WMP 14413/2004 dated 03.11.2020 (received on 11.02.2021) in respect of entire batch cases including the case in hand. Accordingly, the case was re-scheduled for further proceeding vide order dtd. 13.04.2021. The case was listed for further proceeding. Due information was provided to the parties through the official website and through Notice Board. There was change of Vakalat. The Learned Counsel sought for time to produce the Petitioner and to file Affidavit Evidence. Despite of several adjournments from the date of aforesaid High Court Order (Almost 8 adjournments) till 28.04.2022, neither the Petitioner appeared nor filed any Affidavit evidence. However without resorting to any coercive steps against the Petitioner, he was afforded with two more chances vide dtd. 31.05.2022 and 13.06.2022. The Petitioner did not turn up on those dates. On the other hand the Learned Counsel for the Petitioner submitted “No Instruction” and prays to dispose of the proceeding as deems fit. None on behalf of the Respondent was present. Since the Hon'ble Court directed for expeditious disposal, the Tribunal viewed sympathetically and afforded both parties to file their respective Affidavit Evidence listing the case to 15.06.2022 and 29.06.2022. The Petitioner did not turn up on those dates nor filed Affidavit Evidence. None appeared for Respondent. However, for the interest of justice the case was finally listed to 11.07.2022. Even on that day, the Petitioner did not turn up nor filed any Affidavit Evidence.

4. The material borne out from the discussion in preceding paragraphs, undoubtedly projects the fact that the Petitioner is not interested to proceed with the case. It is held that there exists no dispute for adjudication as referred by the Appropriate Govt.

5. In the result the reference is answered against the Petitioner.

6. An Award is passed accordingly.

7. (Dictated and transcribed by PA and corrected and pronounced in the open court on this day the 22.09.2022)

Witnesses Examined:

For the 1st Party Petitioner : Nil

For the 2nd Party Respondent : Nil

Documents Marked:

On the Petitioner & Management side : Nil

DIPTI MOHAPATRA, Presiding Officer

नई दिल्ली, 2 दिसम्बर, 2022

का.आ. 1260.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार एयरपोर्ट अथॉरिटी ऑफ़ इंडिया, नई दिल्ली के प्रबंधन के संबद्ध नियोजकों और श्री राम सिंह सेजवाल, पुत्र श्री रिशाल सिंह सेजवाल, नई दिल्ली बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय-2, नई दिल्ली के पंचाट (संदर्भ सं. 32/2004) को प्रकाशित करती है।

[सं. एल-11012/25/2003-IR(M)]

आशीष कुमार यादव, अवर सचिव

New Delhi, the 2nd December, 2022

S.O. 1260.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 32/2004) of the Central Government Industrial Tribunal/Labour Court-2, New Delhi now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Airport Authority of India, New Delhi and Shri Ram Singh Sejwal, S/o Shri Rishal Singh Sejwal, New Delhi.

[No. L-11012/25/2003-IR(M)]

ASHISH KUMAR YADAV, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, NEW DELHI.

Present: Smt. Pranita Mohanty, Presiding Officer, C.G.I.T.-Cum-Labour Court-II, New Delhi.

INDUSTRIAL DISPUTE CASE NO. 32/2004

Date of Passing Award- 02.11.2022

BETWEEN:

Shri Ram Singh Sejwal,
S/o Shri Rishal Singh Sejwal,
R/o 102-A, Khikhra Wali Gali,
No.1 Lado Sarai Mehrauli
New Delhi-

... Workman

Versus

The Assistant General Manager (P)
Airport Authority of India, Terminal-I,
Palam New Delhi- 110037

... Management

Appearances:-

Shri Vinay Singh
(A/R)

... For the claimant

Shri Hardik Bedi
(A/R)

... For the Management

AWARD

The Government of India in Ministry of Labour & Employment has referred the present dispute existing between employer i.e. the management of Airport Authority of India, Terminal-I, and its

workman/claimant herein, under clause (d) of sub section (1) and sub section (2A) of section 10 of the Industrial Dispute Act 1947 vide letter No. L-11012/25/2003 (IR(M) dated 21/01/2004 to this tribunal for adjudication to the following effect.

“Whether the action of the management of Airport Authority of India, Terminal-I, Palam, New Delhi in terminating the services of Shri Ram Singh Sejwal, Ex-Traffic Warden/Sharp Shooter w.e.f 06.06.2000 is just, fair and legal? If not, to what relief the workman concerned is entitled?”

This order deals with the grievance of the claimant with regard to the punishment imposed on him in the domestic inquiry which he describes as unreasonably disproportionate to the charge leveled against him.

In order to consider the facts and grievance of the claimant, it is necessary to set out the relevant facts as per the claim statement in detail.

The claimant at the relevant time i.e on 05.10.1997, was working as a Traffic Warden and posted at IGI Airport Terminal no 2 and on duty at PAX entry Gate No 2. On that day a foreigner guest, a Dutch Lady made a complaint against the claimant for exhibiting indecent behavior to her. A preliminary fact finding inquiry was held during which the complainant identified the claimant of this proceeding as the wrong doer. She also lodged a criminal complaint with police on that day and FIR u/s 354 and 509 IPC was registered against the claimant. The management on 07.10.1997, in contemplation of a domestic inquiry, placed the claimant under suspension. Charge heads were served on the claimant and the inquiry officer was appointed. The inquiry proceeded with the participation of the charged employee and at the end of the inquiry, the inquiry officer submitted his report to the disciplinary authority with a finding that the charges stand proved. On receipt of the said report the disciplinary authority, served a copy of that report, calling the charged employee to submit his reply. The reply submitted was found not satisfactory and the disciplinary authority imposed the punishment of dismissal from service against the claimant. Being aggrieved, though the workman had preferred a departmental appeal, the same was decided against him and the order passed by the disciplinary authority was confirmed. Feeling aggrieved, the claimant has raised this Industrial Dispute.

On completion of pleadings by the parties, issues were framed and the issue relating to the fairness of the inquiry was taken up as the preliminary issue. After considering the evidence adduced by both the parties with regard to the said preliminary issue, this Tribunal by order dt 17.12.2019, arrived at a conclusion that the domestic inquiry was not conducted fairly by giving proper opportunity to the charged employee of setting up his defence. Hence the said inquiry was held to be vitiated and opportunity was given to the Respondent/Management for adducing evidence and proved the charge and establish that the punishment imposed commensurate the charge.

The management examined the inquiry officer of the domestic inquiry, who was not examined during the preliminary issue hearing and also relied upon the inquiry report and proceeding, already placed on record during the preliminary issue hearing. The claimant workman did not adduce further evidence and expressed that he relies upon the evidence adduced by him during the preliminary issue hearing.

At the outset of the argument, the learned AR for the Respondent/Management submitted that the inquiry officer could not be examined during the preliminary issue hearing. The inquiry report and proceeding placed on record could not be proved in absence of the inquiry officer and this Tribunal consequently decided the said issue against the management. Now the inquiry officer during his examination proved those inquiry proceeding and records relating to the same including his report and order of the disciplinary authority. His oral evidence coupled with the documentary evidence proves the charge. He also argued in favour of the proportionality of the punishment and submitted that the alleged incident was highlighted in the news papers. The victim was a foreign national and the incident had tarnished the image of the respondent impacting the business activities. The claimant was also found involved in disciplined activities in the past and was proceeded by departmental inquiry and minor punishment was also imposed on him. Hence the recurrence of the behavior was viewed seriously and punishment was appropriately imposed.

The claimant who argued in person submitted that no previous charge against him has been proved. For the efficient discharge of duty, he was awarded twice in the past by his employer. Moreover the criminal case filed against him ended in acquittal as the charge could not be proved. The Respondent though aware of the result of the criminal case, as an act of vindication, imposed the major penalty and the order of dismissal is harsh and disproportionate. He also argued that for last 25 years he is fighting against the injustice meted out to him.

The law is well settled that even if the inquiry is found to be fair, that would be only a finding certifying that all possible opportunities were afforded to the delinquent employee to set up a defence. But that would not mean that the inquiry officer and the disciplinary authority had arrived at a legal and proper finding. It is the Industrial Tribunal only, who, by exercising power u/s 11 A of the ID Act can look into and analyze the evidence and examine if the charges have been proved. Once it is held that the charges against the employee are

proved, it will examine the proportionality of the punishment. The Hon'ble SC in the case of **General Secretary, South Indian Cashew Factory Workers' Union vs. The MD Kerala State Cashew Development Corporation (2006) LLR 657, SC** and in the case of **Usha Breco Mazdoor Sangh vs. Management of Usha Breco Ltd 2008(118)FLR400 SC** have held that after amendment and incorporation of sec 11A in the ID Act the Industrial Tribunal is authorized to examine all the materials placed before it, which includes the evidence adduced during the domestic inquiry.

In this case the management being called upon to adduce evidence and prove the charge, examined Shri Bhola Ram who is none other than the inquiry officer in the domestic inquiry held against the claimant. He proved the inquiry proceeding and the report prepared by him as ext MW1/5. In his oral testimony he stated that the inquiry continued for ¾ months and the claimant with his defence assistant was attending the same regularly. The said proceeding record shows that altogether 5 charges were framed against the claimant and the respondent department had examined three witnesses who were the DGM(Airport 2) and the Sr. Airport Manager and the Airport Manager. Besides the witnesses, 6 documents were produced which included the copy of the FIR, Charge Sheet, photo copies of the log book entry and photo copies of the news paper clippings. Before commencement of the inquiry, the copies of all the documents were supplied to the charged employee who acknowledged the same. The procedure of inquiry was also explained to him. During inquiry the photocopy of the FIR lodged through the Airport Manager was proved. The Airport manager Azad Singh confirmed that in his presence the foreigner lady, the victim identified the claimant as the wrong doer. This evidence of the department witness the Airport Manager was corroborated by the defence witness Jag Jivan Prasad, who said that the victim passenger identified the claimant as the wrong doer in his presence. In view of the same the inquiry officer did not accept that no misbehavior was shown by the claimant to the passenger. The inquiry officer came to hold that no plausible reasons are evident as to why a foreigner passenger having no axe to grind against the workman facing the charge shall depose and implicate him falsely. Thus in view of the evidence, the principal charge against the claimant stands proved. The other charges were with regard to the unwarranted and unbecoming behavior of an employee, which according to the inquiry officer were consequently proved and accepted by this Tribunal.

On behalf of the claimant argument was advanced that the criminal case had ended in acquittal before the inquiry was concluded. This fact was brought to the notice of the inquiry officer, but never considered as he prepared the report in a pre occupied manner. The disciplinary authority and the appellate authority never considered this aspect too. Thus he argued that for a lone incident of alleged misconduct the harshest punishment was imposed on him. In reply argument the learned AR for the management described about many such previous incidents in which the claimant was facing departmental inquiry and punishment was imposed on him. But no evidence to that effect was placed on record.

In the case of **Regional Manager U.P.S R TC, Etawah & others VS Hotilal and another, 2003(3) SCC 605, referred in the later case of U.P.SRTC VS Nanhelal Kushwaha (2009) 8 SCC, 772**, the Hon'ble Apex Court have held that "The court or Tribunal while dealing with the quantum of punishment has to record reason as to why it is felt that the punishment inflicted do not commensurate with the proved charge. A mere statement that the punishment is not proportionate would not suffice. It is not only the amount involved, but the mental set up, the type of the duty performed and similar relevant circumstances, which go into the decision making process are to be considered while deciding the proportionality of the punishment awarded."

But as stated in the preceding paragraph, the allegation against the claimant was of the indecent behavior shown to a foreigner passenger. But the evidence on record does not show that in the past the claimant was found guilty for alleged misconduct. The argument of the learned AR with regard to the past misconduct shown by the claimant is not supported by any evidence. The claimant on the contrary has adduced evidence of his past good deeds earning him rewards..

The learned AR for the management while placing reliance in the judgment of the Hon'ble SC in the case of **M/S Firestone Tyre and Rubber Co of India vs. The Management And Others** argued that the discretion vested in the Tribunal u/s 11-A should be judiciously exercised. The crux of his argument is that the punishment imposed on the claimant is appropriate to the charge and the Tribunal should not interfere. In the case of Firestone referred supra, the Hon'ble SC have held that after incorporation of the provision of sec 11A in the ID Act, the Tribunal in order to record a finding on the fairness of the domestic inquiry or the proportionality of the punishment, can not be confined to the materials which were available at the domestic inquiry. On the other hand 'material on record' in the proviso to sec 11A of the ID Act must be held to refer the materials before the Tribunal. They take in (1) the evidence taken in by the parties during the domestic inquiry (2) the evidence taken before the Tribunal. This Tribunal in view of the arguments advanced has to give a finding on the proportionality of the punishment imposed on the claimant. In the case of **Muriadih Colliery VS Bihar Coallliery Kamgar Union (2005) 3 SCC331**, The Hon'ble SC have held:-

"it is well-established principle in law that in a given circumstance, it is open for the Industrial Tribunal acting u/s 11-A of the I D Act 1947 to interfere with the punishment awarded in the domestic inquiry for good and valid reasons. If the tribunal decides to interfere with such punishment awarded in

domestic inquiry, it should bear in mind the principle of proportionality between the gravity of the offence and stringency of the punishment.”

Thus on considering the evidence recorded during the domestic inquiry and adduced before this Tribunal, the one only conclusion is that the punishment imposed on the claimant for the isolated incident amounting to mis conduct is disproportionate and harsh, more so when the case of outraging of modesty against the claimant has ended in acquittal. The imposed punishment has not only occasioned in huge financial loss, but also resulted in mental agony to the claimant. Hence it is felt proper to interfere and modify to a lesser punishment in exercise of the power conferred u/s 11A of the ID Act. Hence, ordered.

ORDER

The reference be and the same is answered in favour of the claimant. For the finding rendered in the preceding paragraphs it is held that imposition of the punishment of dismissing him from service for a lone allegation and in absence of proof that he had earlier indulged in such activities, is illegal and liable to be set aside. The punishment imposed is thus modified and the management is directed to notionally reinstate him in service from the date of dismissal since the claimant has already attained the age of superannuation. On such notional reinstatement two annual increments of the claimant shall be stopped and with cumulative effect and his financial and retirement benefits shall be released in his favour within two months from the date of publication of this award, failing which for the extreme old nature of the dispute the accrued amount shall carry interest at the rate of 7% per annum from the date of accrual and till the actual payment is made. Send a copy of this award to the appropriate government for notification as required under section 17 of the ID act 1947.

The reference is accordingly answered.

Dictated & Corrected by me.

PRANITA MOHANTY, Presiding Officer

नई दिल्ली, 2 दिसम्बर, 2022

का.आ. 1261.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार इंडियन ऑयल कॉर्पोरेशन, नई दिल्ली; 3940, सुनील दलाल सिक्योरिटी एजेंसी, नई दिल्ली के प्रबंधन के संबद्ध नियोजकों और श्री अमित कुमार पुत्र श्री रविन्द्र कुमार चतुर्वेदी, दिल्ली कर्मचारी संघ, नई दिल्ली के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय-2, नई दिल्ली के पंचाट (संदर्भ सं. 172/2020) को प्रकाशित करती है।

[सं. एल-30011/18/2020-IR(M)]

आशीष कुमार यादव, अवर सचिव

New Delhi, the 2nd December, 2022

S.O. 1261.— in pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 172/2020) of the Central Government Industrial Tribunal/Labour Court-2, New Delhi now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Indian Oil Corporation, New Delhi; 3940, Sunil Dalal Security Agency, New Delhi and Shri Amit Kumar S/o Shri Ravinder Kumar Chaturvedi, through Delhi Karamchari Sangh, New Delhi.

[No. L-30011/18/2020-IR(M)]

ASHISH KUMAR YADAV, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL –CUM- LABOUR COURT-II, NEW DELHI

Present: Smt. PRANITA MOHANTY

ID.NO. 172/2020

Shri Amit Kumar S/o Shri Ravinder Kumar Chaturvedi,

Through –Delhi Karamchari Sangh,

W-4, Opposite Kalkaji Bus Depot,

Govindpuri, New Delhi-110019

.... Workman

Versus

1. Indian Oil Corporation,
Brijwasan, New Delhi-110061.

2. 3940, Sunil Dalal Security Agency,
BM-37, East 2nd Floor, Shalimar Bagh,
New Delhi-110088

.... Managements.

AWARD

1. In the present case, a reference was received from the appropriate Government vide Reference No.L-30011/18/2020 (IR (M)) dated 20.10.2020 under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Act, for adjudication of a dispute, terms of which are as under:

“Whether the services of the workman Sh. Amit Kumar, S/o Shri Ravinder Kumar Chaturvedi, have been terminated illegally and or unjustifiably and if yes to what relief is the workman entitled and what directions are necessary in this regard ?”

2. In the reference order, the appropriate Government commanded the parties raising the dispute to file statement of claim, complete with relevant documents, list of reliance and witnesses with this Tribunal within 15 days of receipt of the reference order and to forward a copy of such statement of claim to the opposite parties involved in the dispute. Despite directions so given, claimant union opted not to file the claim statement.

3. On receipt of the above reference, notice was sent to the workman as well as the managements. Neither the postal article sent to the claimant, referred above, was received back nor was it observed by the Tribunal that postal services remained unserved in the period, referred above. Therefore, every presumption lies in favour of the fact that the above notice was served upon the claimant. Despite service of the notice, claimant opted to abstain away from the proceedings. No claim statement was filed on his behalf. Thus, it is clear that the workman is not interested in adjudication of the reference on merits.

4. Since the workman has neither put his appearance nor has he led any evidence so as to prove his cause against the management, this Tribunal is left with no choice, except to pass a ‘No Dispute/Claim’ award. Let this award be sent to the appropriate Government, as required under Section 17 of the Industrial Disputes Act, 1947, for publication.

PRANITA MOHANTY, Presiding Officer

नई दिल्ली, 2 दिसम्बर, 2022

का.आ. 1262.—औद्योगिक विवाद अधिनियम (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार एयरपोर्ट अथॉरिटी ऑफ़ इंडिया, नई दिल्ली; दिल्ली इंटरनेशनल एयरपोर्ट प्रा. लिमिटेड, नई दिल्ली और मैसर्स बडी रिटेल प्रा. लिमिटेड, नई दिल्ली के प्रबंधन के संबद्ध नियोजकों और श्री चंदन पुत्र श्री बुधन, महासचिव, हिंदुस्तान इंजीनियरिंग एंड जनरल मजदूर यूनियन, दिल्ली के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय-2, नई दिल्ली के पंचाट (संदर्भ सं. 252/2019) को प्रकाशित करती है।

[सं. Z-16025/04/2022-IR(M)]

आशीष कुमार यादव, अवर सचिव

New Delhi, the 2nd December, 2022

S.O. 1262.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 252/2019) of the Central Government Industrial Tribunal/Labour Court-2, New Delhi now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Airport Authority of India, New Delhi; Delhi International Airport

Pvt. Ltd., New Delhi and M/s Buddy retail Pvt. Ltd., New Delhi and Shri Chandan S/o Shri Budhan through the General Secretary, Hindustan Engineering & General Mazdoor Union, Delhi.

[No. Z-16025/04/2022-IR(M)]

ASHISH KUMAR YADAV, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL—CUM-LABOUR COURT-II, NEW DELHI

Present: Smt. Pranita Mohanty

ID.NO.252/2019

Shri Chandan S/o Sh. Budhan,
Through-The General Secretary,
Hindustan Engineering & General Mazdoor Union,
Head Office: D-2/24, Sultanpuri, Delhi-110086

.... Workman

Versus

1. Airport Authority of India,
Rajiv Gandhi Bhawan, Safdarjung Airport, New Delhi-110003.

2. The CEO, Delhi International Airport Pvt. Ltd.,
New Uddan Bhawan, Terminal -3 IGI Airport, New Delhi-110037.

3. The Managing Director,
M/s Buddy Retail Pvt. Ltd.,
Office No. 08 & 09, Airline Office, IGI Airline Office, IGI Airport,
New Delhi-110037.

.... Managements

AWARD

1. In the present case, a reference was received from the appropriate Government vide file no. ND. 96(09)2019-ID-FOC-DY-CLC (C) dated 18.11.2019 under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Act, for adjudication of a dispute, terms of which are as under:

“Whether the action of the management of M/s Buddy Retail Pvt. Ltd., (contractor of DAIL) in terminating the services of the workman Sh. Chandan S/o Sh. Budhan w.e.f 11.07.2018 is just, fair and legal? If not what relief the workman concerned is entitled to and from which date?”

2. In the reference order, the appropriate Government commanded the parties raising the dispute to file statement of claim, complete with relevant documents, list of reliance and witnesses with this Tribunal within 15 days of receipt of the reference order and to forward a copy of such statement of claim to the opposite parties involved in the dispute. Despite directions so given, claimant union opted not to file the claim statement.

3. On receipt of the above reference, notice was sent to the workman as well as the managements. Neither the postal article sent to the claimant, referred above, was received back nor was it observed by the Tribunal that postal services remained unserved in the period, referred above. Therefore, every presumption lies in favour of the fact that the above notice was served upon the claimant. Despite service of the notice, claimant opted to abstain away from the proceedings. No claim statement was filed on his behalf. Thus, it is clear that the workman is not interested in adjudication of the reference on merits.

4. Since the workman has neither put his appearance nor has he led any evidence so as to prove his cause against the management, this Tribunal is left with no choice, except to pass a ‘No Dispute/Claim’ award. Let this award be sent to the appropriate Government, as required under Section 17 of the Industrial Disputes Act, 1947, for publication.

PRANITA MOHANTY, Presiding Officers

नई दिल्ली, 2 दिसम्बर, 2022

का.आ. 1263.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार ओएनजीसी लिमिटेड, देहरादून; सीएमएस आईटी सर्विसेज, गुडगांव, हरियाणा के प्रबंधन के संबद्ध नियोजकों और श्री ज्योति वासु, देहरादून बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय-2, नई दिल्ली के पंचाट (संदर्भ सं. 105/2020) को प्रकाशित करती है।

[सं. Z-16025/04/2022-IR(M)]

आशीष कुमार यादव, अवर सचिव

New Delhi, the 2nd December, 2022

S.O. 1263.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. (105/2020) of the Central Government Industrial Tribunal/Labour Court-2, New Delhi now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of ONGC Ltd., Dehradun; CMS IT Services, Gurgaon, Haryana and Shri Jyoti Vasu, Dehradun.

[No. Z-16025/04/2022-IR(M)]

ASHISH KUMAR YADAV, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL –CUM- LABOUR COURT-II, NEW DELHI

Present: Smt. Pranita Mohanty

ID.NO.105/2020

Sh. Jyoti Vasu,
19, Sewak Ashram Road,
Dehradun, Uttarakhand -248001

... Workman.

Versus

1. The General Manager (Infocom)IT,
ONGC, Ltd., Old Secretariat Building,
Tel Bhawan,
Dehradun-248003.
2. The Managing Director,
CMS IT Services,
114, 3rd Floor Sector -44
Gurgaon, Haryana-122001

...Managements.

AWARD

1. In the present case, a reference was received from the appropriate Government vide file no. D-821/A/2020/02/IRDDN DY. CLC (C) Dehradun, dated 27.02.2020, under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Act, for adjudication of a dispute, terms of which are as under:

“Whether the act of terminating the services of Shri Jyoti Vasu, engaged as Senior Customer Support Engineer in the Estb. Of M/s ONGC Ltd., Dehradun through M/s CMS IT Services, Gurgaon is legal and justified?

Whether the said employee is entitled for regularization/ reinstatement of his service in the said Estb.? If not, what relief /remedies, the concerned employee is entitled to?”

2. In the reference order, the appropriate Government commanded the parties raising the dispute to file statement of claim, complete with relevant documents, list of reliance and witnesses with this Tribunal within 15 days of receipt of the reference order and to forward a copy of such statement of claim to the opposite parties involved in the dispute. Despite directions so given, claimant union opted not to file the claim statement.

3. On receipt of the above reference, notice was sent to the workman as well as the managements. Neither the postal article sent to the claimant, referred above, was received back nor was it observed by the

Tribunal that postal services remained unserved in the period, referred above. Therefore, every presumption lies in favour of the fact that the above notice was served upon the claimant. Despite service of the notice, claimant opted to abstain away from the proceedings. No claim statement was filed on his behalf. Thus, it is clear that the workman is not interested in adjudication of the reference on merits.

4. Since the workman has neither put his appearance nor has he led any evidence so as to prove his cause against the management, this Tribunal is left with no choice, except to pass a 'No Dispute/Claim' award. Let this award be sent to the appropriate Government, as required under Section 17 of the Industrial Disputes Act, 1947, for publication.

PRANITA MOHANTY, Presiding Officer

नई दिल्ली, 2 दिसम्बर, 2022

का.आ. 1264.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार सीएमएस, ओएनजीसी हॉस्पिटल, देहरादून; ऑयल एंड नेचुरल गैस, देहरादून के प्रबंधन के संबद्ध नियोजकों और श्री गोविंद सिंह बिष्ट, राज्य सचिव, भारतीय मजदूर संघ, देहरादून बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय-2, नई दिल्ली के पंचाट (संदर्भ सं. 116/2015) को प्रकाशित करती है।

[सं. एल-30011/15/2015-IR(M)]

आशीष कुमार यादव, अवर सचिव

New Delhi, the 2nd December, 2022

S.O. 1264.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 116/2015) of the Central Government Industrial Tribunal/Labour Court-2, New Delhi now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of CMS, ONGC Hospital, Dehradun; Oil and Natural Gas Ltd, Dehradun and Shri Govind Singh Bisht through State Secretary, Bhartiya Mazdoor Sangh, Dehradun.

[No. L-30011/15/2015-IR(M)]

ASHISH KUMAR YADAV, Under Secy.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, NEW DELHI.

Present:

Smt. Pranita Mohanty,
Presiding Officer, C.G.I.T.-Cum-Labour
Court-II, New Delhi.

INDUSTRIAL DISPUTE CASE NO. 116/2015

Date of Passing Award- 03.11.2022

BETWEEN:

Shri Govind Singh Bisht,
Through:-
State Secretary,
Bhartiya Mazdoor Sangh,
16-A, Rajpur Road,
Dehradun

Versus

.... Workman

1. The General Manager,
CMS, ONGC Hospital,
Dehradun 248001
Dehradun.

2. The Executive Director,
Oil and Natural Gas Ltd. Tel Bhawan,
Dehradun

..... Management

Appearances:-

Shri M C Panth
(A/R)

... For the claimant

Shri V K Chopra
(A/R)

... For the Management

AWARD

The Government of India in Ministry of Labour & Employment has referred the present dispute existing between employer i.e. the management of CMS, ONGC Hospital, and its workman/claimant herein, under clause (d) of sub section (1) and sub section (2A) of section 10 of the Industrial Dispute Act 1947 vide letter No. L-30011/15/2015 (IR(M) dated 08/06/2015 to this tribunal for adjudication to the following effect.

“Whether the demand of workers (Annexure I & II enclosed) regarding permanent status in the ONGC Hospital who are working since 1996 is justified? IF yes, then what relief the worker will get? ”

As stated in the claim petition, the 41 claimants whose details has been stated in the claim petition and represented by the state secretary, Bharatiya Mazdoor Sangh were employed as Para medical staff on contractual basis in the hospital run and managed by ONGC. Their initial appointment varies between 1996 to 2012 and some of them have worked for 18 years continuously. The nature of work discharged by them is perennial and the posts in which they have been working are permanent in nature. The ONGC a Nabaratna Govt. owned company, instead of being a model employer has acted in a manner prejudicial to the interest of the claimants and the claimants have been appointed on contractual basis against permanent vacancies and their contract of appointment is being renewed from time to time for fixed terms, which amounts to unfair labour practice. The claimants have further stated that the management ONGC at the time of their initial appointment had requisitioned the names of eligible candidates through the employment exchange. The candidates who were sponsored by the employment exchange were to appear the test as prescribed by the employer and on being successful, were given appointment. In the year 2012, the management again asked those contractual Para medical employees to appear. In the test conducted before renewal of their contract. Though as per the model Industrial standing order, the contractual employees are entitled to be regularized against the vacancy regular posts, the management in the year 2014 made open advertisement for filling up the permanent vacancies of Para medical staff. Being aggrieved, the claimants approached the Hon'ble High Court of Uttarakhand by filing writ petition no 1053/2014 and challenged the advertisement dated 20.07.2014. The Hon'ble High Court of Uttarakhand by interim order dated 24.07.2014 allowed the management to conduct the examination, but restrained the publication of the result till disposal of the writ petition. Thus the management took up a discussion with the claimants as agreed the service of the claimants were extended up to June 2016 and the advertisement dated 20.07.2014, was withdrawn. The claimants were assured of a scheme to be brought shortly for their regularization. With such assurance the claimants also withdrew the Writ petition filed before the High Court of Uttarakhand. On such amicable arrangement, the management also extended the benefits of contributory provident fund to the claimants, a benefit granted to the regular employees. Thus the workers were under the bonafide belief that their service will be regularized in ONGC. But no step in that regard was taken by the management. While the matter stood thus, The Bharatiya Mazdoor Sangh moved an application before the central labour commissioner Derhadun, alleging that for the perennial nature of work discharged by the paramedical staff, contractual appointment of workers is not permissible under law. Equal pay at par with the permanent paramedical employees was also demanded along with other demands. The Labour Commissioner gave notice to the management and took steps for conciliation. At that point, the management appeared and at the time of conciliation took the stand that the claimants being appointed on fixed term contractual basis can not demand regularization. Since the conciliation failed, the appropriate Govt. referred the matter to this Tribunal for adjudication on the legality of the demand made by the workmen for permanent status as employees of the management ONGC. It has also been pleaded that the management during the pendency of the Industrial Dispute is trying to recruit regular employees against the vacancies they are working.

Being noticed the management ONGC appeared and filed written statement refuting the stand taken by the claimants. It has been pleaded that ONGC is a public sector undertaking having it's own Rules governing the procedure of Recruitment and service condition of the employees. Thus the Industrial Standing Order does not have the applicability for the management. The petitioners have been working for the ONGC for the period

ranging from 2 to 8 years and not since 18 years as claimed by the claimants. Only 4 of the claimants are working since 18 years. (List of such persons enclosed with the WS) requirement of permanent and temporary staff in the Hospital of ONGC varies depending upon the workload, so also the requirement of Para medics. The no of requirement of Para medics in ONGC Hospital is assessed in an interval of two years by the Human Resource Group (HRG), Dheradun. As per that assessment, the required no of posts for paramedics are sanctioned and advertisements are made in the News Papers inviting applications from the eligible candidates having eligible qualification. The claimants are working in the Hospital of ONGC for some time and they were engaged against an advertisement in which the nature of employment was specifically described as on fixed term contractual basis. The candidates having knowledge of the terms of employment and being desirous to serve as such, had applied and participated in the written and viva voce test and being selected, had joined in their respective posts. This procedure was adopted each time their period of contract was extended. It has also been pleaded that if the applicability of Model Standing order is accepted for the sake of argument, the said Model Standing Order recognizes the concept of fixed term employment, but does not provide for absorbing the fixed term employees as permanent employees. Thus the claim of the claimants, who are fixed term employees to be absorbed as permanent employees is not permissible under law. Their employment is governed by the terms specified in the contract and they have no vested right on the permanent Para medical posts advertised now. The validity of the contract of different category of paramedics was for two years i.e. up to 30th June 2014. But the same has been extended up to 30.06.2016, as the claimants had approached the Hon'ble High Court of Uttarakhand and the court passed an interim order directing conduct of the exam for regular Para medical staff, but put a restraint on declaration of the result. In the mean time the claimants sat in a dharna in front of ONGC and also filed an application before the Asst Labour Commissioner Dheradun. During the conciliation as advised by the ALC, it was decided not to discontinue the services of the claimants till the Hon'ble H C of Uttarakhand decides the writ petition filed by the claimants on merit. But no assurance was ever given to the claimants about framing of a scheme to regularize their service. These Para medics were initially appointed after notification of vacancies through employment exchange followed by written and viva voce test. Before expiry of their fixed term employment advertisement was made for fresh short term contractual employment. The claimants had applied, appeared in the tests conducted and being found successful were appointed. These claimants are not the contract labours nor employed through any contractor. Their claim in respect of the regular posts advertised in the year 2014 is illegal and not maintainable. It has also been pleaded that the appropriate Govt. has referred the matter to adjudicate on the claim of the workmen working since 1996. Hence the case of the claimants who were engaged after 1996, can not be adjudicated. With such assertion, the management has pleaded for dismissal of the claim.

The claimants filed replication denying the stand of the management and reiterating the stand taken in the claim petition. It has been explained that the claim for regularization is in respect of the regular vacancies, now advertised. Considering their long period of service as contractual employees and that they possess the requisite qualification and were selected through a proper selection process, the management should regularize their service instead of making fresh advertisement and this action of the management amounts to unfair labour practice. The claimants in their replication have admitted the fact that all the claimants were not engaged in the year 1996 and their years of appointment varies. But the stand of the management that the reference is in respect of the persons employed in the year 1996 only.

On these rival pleadings the following issues were framed by order dated 21.12.2019.

ISSUES

- 1- If the proceeding is maintainable
- 2- If the action of ONGC in not making the workmen permanent, though appointed against permanent vacancy amounts unfair labour practice.
- 3- Whether the demand of the workmen for absorption against permanent vacancies is justified.
- 4- Whether the workmen are entitled to all the service benefits as claimed by them.
- 5- To what other relief the parties are entitled to.

The claimants filed their individual affidavits to be read as evidence and altogether 32 affidavits were filed. They were examined as WW/1 to WW/32. All the witnesses examined produced and exhibited their appointment letters and certificates in support of their educational qualification.

But on the date fixed for cross examination of the witnesses examined on behalf of the claimants, none appeared on behalf of the management and as such the cross examination was marked as nil. The evidence adduced by the claimants thus stood un rebutted and unchallenged. The management, when called upon to adduce evidence choose not to adduce any oral or documentary evidence.

It is necessary to mention here that during the pendency of this dispute, the claimants moved an application for grant of pay scale at par with the regular Para medical employees and this Tribunal by order dated 29.11.2018, allowed the said petition and directed the management ONGC to pay remuneration and additional emoluments at par with the regular employees discharging similar nature of work, from the succeeding month of the order. The management filed an application for recall of the said order. But this Tribunal by order dated 24.05.2019, rejected the said application. Being aggrieved the Management moved the Hon'ble High Court of Delhi in WPC No 8597/2019. The Hon'ble High court while upholding the order of this Tribunal on the prayer for interim relief disposed off the said writ application.

At the outset of the elaborate argument advanced on behalf of the management attention of the Tribunal was drawn to the constitution bench judgment of **the Hon'ble SC in the case of Secretary, State of Karnatak vs. Uma Devi**, to emphasize that the prayer for regularization of the contractual employees if would be allowed, the same would amount to back door entry and opposed to the policy of public employment and right guaranteed under the constitution. Reliance has also been placed on several other judicial pronouncements to support the argument that when the claimants having knowledge that their appointment is on fixed term contractual basis had accepted the offer of appointment their claim for regularization is not tenable in law. The counter argument of the claimants is that the principle decided in the case of Uma Devi referred supra has no applicability to labour law and Industrial Dispute, where the issue is about unfair labour practice.. He placed reliance in the case of **Narendra ku Tiwari vs. State of Jharkhand**, in which the **Hon'ble SC** while examining the law declared in the case of Uma Devi, observed that the purpose and intent of the decision in Umadevi was twofold, namely, to prevent irregular and illegal appointment in future and secondly to confer a benefit on those irregularly appointed in the past. With this he submitted that the undisputed and un rebutted evidence adduced by the claimants prove how they have been made victim of the fixed term contractual employment for years and denial of regularization amounts to unfair labour practice for which the relief as prayed should be granted.

FINDINGS

ISSUE No1

The management /Respondent in the written statement filed has challenged the maintainability of this proceeding on the ground that the reference is to adjudicate upon the legality and justification of the demand for conferment of the status of permanent employees to the claimants working in ONGC since 1996. Hence the claimants engaged after 1996 have no right to claim the said status. The learned counsel for the management forcefully argued that the Tribunal can not Travel beyond the reference made by the appropriate Govt. and the adjudication shall be confined to the claim of those claimants only who started working in the year 1996. He pointed out to Para 8 and 10 of the WS where in the no of paramedics engaged in different years and the names of the persons engaged after 1996 has been shown. Basing on that he argued that the engagement of fixed term contractual Para medics depend upon the work load of the Hospital. At an interval of two years the HRG, Derhadun, makes assessment of the work load and recommends the no of paramedics required, which is forwarded to the higher Management for approval and with such approval advertisement is made for engagement of fixed term paramedics. Thus the no varies from tenure to tenure. He emphasized that the Tribunal for the specific reference made should consider the claim of the persons engaged in 1996 only.

Be it stated that the claim has been filed by 41 claimants and in the claim petition in Para 10, the name, DOB, date of joining, the post in which they are working and their qualification has been clearly mentioned. It is true that the date of initial engagement of the claimants vary from 1996 to 2013. It is also an admitted position that all the claimants are continuing to work in the Hospital of ONGC. The management in this proceeding has not adduced any oral or documentary evidence. In Para 8 the no of Para medics engaged in different years has been indicated and the same does not match with the no of the claimants who are still working. Moreover, in para10 of the WS there is a mention of only six Para medics and against the name of three only who are at serial no 20,33and 37 of the claim petition, the date of joining has been indicated. The respondent being in possession of all the documents relating to the engagement of the claimants could have produced documents in support of the stand taken in the WS. In absence of proof to the contrary, the evidence adduced by the claimants and the statement in the claim petition with regard to the initial date of engagement of the claimants is accepted.

The reference received from the appropriate Govt. reads as follows.

“Whether the demand of workers (Annexure I&II enclosed) regarding permanent status in the ONGC Hospital, who are working since 1996 is justified? If yes, what relief the workmen will get?”

The management has taken a stand that the adjudication should be confined to three of the workmen only who were engaged in the year 1996. This stand taken by the management does not sound convincing since the reference has been made with reference to the claimants mentioned in Annexure I& II, which are nothing but the letters dated 13.06.2014 and 27.05.2014 submitted by Bharatiya Mazdoor Sangh before the ALC

containing the names of the claimants forwarded by the ALC to the Govt., which in turn has been forwarded to this Tribunal for adjudication. Hence, it is held that the reference has been received for adjudication of the dispute in respect of all the claimants described in the Annexure to the reference as well as in the claim petition. This issue is thus answered in favor of the claimants.

ISSUE No 2&3

These two issues being interdependent are taken up for consideration together. Admitted position with regard to the claim of the workmen is that these workmen were engaged in the post of Para medics in the Hospital run by ONGC on different dates as mentioned in the annexure received along with the reference and as stated in the claim petition. Both the parties have pleaded that their engagement is on contractual basis and for a fixed term on consolidated remuneration. It is also admitted that the contract has been renewed from time to time pursuant to advertisements published and selection through a process decided by the management. The claimants have described their qualification in the claim petition and while testifying as witnesses have produced documentary proof in support of their qualification, which has not been disputed by the management. The oral and documentary evidence adduced by the claimants thus proves that the claimants having requisite qualification had offered their candidature for the posts advertised and the management after testing their eligibility and suitability in their own way selected and appointed them against the posts held by them. The claimants have filed their appointment letter and the letter correspondence extending their engagement. The management, in the WS has clearly stated that these claimants were selected through a written as well as a viva voce test conducted by the management. The evidence, in this regard, as adduced by the claimants stand unchallenged as the witnesses were not cross examined and no rebuttal evidence was adduced by the management.

The claimants have pleaded that they are working against the permanent posts since the date of their initial appointment and the nature of work discharged by them is perennial in nature. For that reason the management is making advertisement for the posts on intervals and re appointing these claimants again and again as contractual employees only with the intension of depriving them of regular status. As stated in the preceding paragraph, the management has admitted the said contractual appointment, but with an explanation that the claimants are working against the temporary vacancies as determined by the HRG, on assessment of the work load. These posts are distinguishable from the permanent posts of paramedics. But no evidence with regard to the assessment and recommendation made by HRG has been placed on record. The learned counsel for the management only advanced oral argument in this regard. On the contrary, the documents filed by the claimant which are the appointment letters and extension letters of engagement shows that the management is in constant need of the service of these Para medics for which they have been granted extension. It is also not disputed that when the management in the year 2014, made advertisement for regular posts the claimants through their union had approached the Hon'ble High Court of Uttarakhand in writ petition no 1053/2014, where an interim order was passed restraining publication of the result of the recruitment test held for the permanent vacancies. It is also admitted by both the parties in their pleading that a talk of compromise was held and pursuant thereto, the claimants were granted extension of engagement and the WPC filed by the claimants was withdrawn. The claimants have stated that the benefit of CPF as given to the regular employees was granted to them. Though the management has denied this stand of the claimants in the WS, no rebuttal evidence has been adduced. Before the Hon'ble High Court of Nainital, the management also admitted that the posts advertised have nothing to do with the posts held by the claimants. This clearly shows that the management is/was having vacancies in the post of paramedics when the claimants are working on contractual basis.

The one and only argument advanced by the management is that the claimants had accepted the offer and joined in the posts knowing fully well that their appointment is contractual and for a fixed term. Thus their present claim for permanent status is nothing but an attempt for a back door entry. ONGC is a public sector undertaking, having its own Rule and Procedure of Recruitment. The relief prayed by the claimants, if would be granted, the same shall stand opposed to the policy of public employment. He further submitted that the advertisement made in the year 2014 was withdrawn. But the fresh advertisement was made in the year 2018 and the recruitment process is over by joining of the recruited persons. Thus the ONGC has no vacancy at present. The learned counsel made argument solely relying upon the judgment of the Constitution Bench of the Hon'ble S C in the case of Umadevi, referred supra.

In his reply the learned AR for the claimants argued that the law laid down in the case of Umadevi has been wrongly interpreted. In that case the Hon'ble SC have disapproved the practice of regularizing the service of the persons appointed illegally and without following the due procedure. Such appointments have been held as back door entries. But in this case, the claimants were appointed pursuant to advertisement made. They were short listed for having requisite qualification. Not only that, they had to appear in the written as well as in the viva voce test to prove their competency for the post and this has been admitted by the Respondent in the WS and in the written reply filed before the labour commissioner. The claimants, who testified as WW1 to WW31 have proved their certificates of qualification and the same proves that the claimants possess the qualification for the post held by them and for that reason, their tenure of engagement were extended from time to time. This

documentary evidence has not been disputed or rebutted by the management. Reliance has been placed by the claimants in the case of **Sachin Ambadas Dawale vs. State of Maharashtra (Writ Petition No 2046/2010) decided by the Hon'ble High Court of Bombay**, where in the Hon'ble court have held in the following manner.

*“it could be clearly seen that the issue before the SC in the case of Secretary, State of Karnatak vs. Umadevi, was pertaining to the appointments which were made clandestinely, without following the selection process. The facts of the present case is are totally different. In the present case the petitioners were appointed after the posts were advertised, they were selected in a selection process by a committee of experts duly constituted as per the Govt. Resolution. In that view of the matter, the law laid down in the case of Uma Devi, would not be applicable to the facts of the present case. *****it being an admitted position that the posts in which these employees have been appointed and continued for a considerable length of time, on contractual basis, which are regular and full time posts, the appointment in these posts can not be at the whim and fancies of the Govt. of Maharashtra. The state can not adopt the policy of hire and fire or use and throw.”*

On the basis of the said judgment the claimants argue that the law decided in the case of Umadevi is not applicable to the admitted facts of this case and the tribunal should consider the long and continuous service rendered by them for granting the relief prayed.

It is admitted that the claimants, pursuant to the advertisement were appointed being found qualified and suitable in the selection process. The work discharged by them is of perennial nature which is evident from the fact that their tenure is being extended from time to time. The posts held by them is separate and distinguishable from the posts Para medics filled up by the advertisement made in the year 2018, though the duty and work done by them are similar. But the management has made them to work as contractual employees for years together and for a prolonged period, even though they possess requisite qualification and experience and there are vacancies. This act of the management amounts to unfair labour practice as defined under the ID Act. In the case of **Maharashtra Road Transport Corporation vs. Casteribe Rajya Parivahan Karmachari Sanghatana, SCC,573, the Hon'ble SC** have held that

“the power given to the Industrial courts u/s 30 is very wide and affirmative action mentioned there in is inclusive and not exhaustive. Employing Badlis, casuals or Temporaries and to continue them as such for years together, with the object of depriving them of the status and privilege of permanent employees is an unfair labour practice and the Industrial and Labour Courts are empowered to issue preventive as well as positive directions to an erring employer.”

The present industrial dispute is identical on facts with the case of Maharashtra Road Transport referred supra.

Again, the Hon'ble Supreme Court in another case **Hari Nandan Prasad vs. employer I/R to management of Food Corporation of India and another reported in AIR 2014 SC 1848**, wherein the issue was as to whether the Labour Court Tribunal has the jurisdiction to order regularization of the workman was considered in the context of the provision of the Act and the decision of the constitution bench in the case of Uma Devi and the Hon'ble Court came to hold that the powers conferred upon the Industrial Tribunal/Labour Court under the ID Act are quite wide. The Act deals with industrial Disputes, provides for conciliation, adjudication, and settlements, and regulates the rights of the parties and the enforcement of the award and settlement. Not only that way back in the year 1950 in the case of **Bharat Bank Limited vs. Employees of Bharat Bank reported in (1950) LLJ 921 The Hon'ble Supreme Court** had observed:“In settling the disputes between the employers and the workmen, the function of the Tribunal is not confined to administration of justice in accordance with law. It can confer rights and privileges on either party which it considers reasonable and proper, though they may not be within the terms of any existing agreement. It has not merely to interpret or give effect to the contractual rights and obligations of the parties. It can create new rights and obligations between them which it considers essential for keeping industrial peace.” Thus keeping the pronouncements made by the Apex court in the aforesaid cases in view, it is held that the management of ONGC has adopted unfair labour practice by allowing the claimants to work continuously for years together as contractual employees even though the work and duty discharged by them was of perennial nature and the management has vacancies as it is admitted that the posts filled up by advertisement made in the year 2018 has nothing to do with the posts in which the claimants are working. The claimants claim for regularization is held justifiable and they are entitled to the status of permanent employees of ONGC. The ONGC, a public sector undertaking and one of the Navaratna companies, instead of being a model employer has conducted it self in manner prejudicial to the claimants giving service in the Hospitals of ONGC for years together. These two issues are accordingly decided in favour of the claimants.

ISSUE No 4 and 5

In view of the decision and finding arrived in deciding issue no 2 and 3, it is concluded that the claimants are also entitled to all the service benefits granted to the regular and permanent Para medics including salary and other service benefits attached to the post from the date they completed one year of service from the date of their first appointment in ONGC. This benefit will be applicable to the 31 claimants who testified in this proceeding and proved by oral and documentary evidence, their respective qualification and continuity of

service, since eligibility is sine qua non for the claim of regularization. Both the issues are accordingly decided in favour of the claimants. Hence, ordered.

ORDER

The reference be and the same is answered in favour of the claimants as per the list enclosed. The claim advanced for regularization of their service and conferment of permanent status as employees of ONGC is held justified. It is directed that the claimants as per the list enclosed with this award shall be treated as permanent employees of ONGC w. e. f. the date they completed one year of service from the date of their respective initial appointments and shall be paid the pay and other service benefits at par with the permanent and regular Para medics appointed by ONGC, from that date. The pay of the claimants shall be revised and the arrear pay and other financial benefits as admissible and had accrued shall be paid to them within two months from the date of publication of this award without interest failing which the amount payable to the individual claimant shall carry interest @ 6% per annum from the date of accrual and till the final payment is made. The management is directed to pay Rs 50,000/- to each of the claimants towards litigation expenses within the time stipulated above failing which the said amount shall carry interest @6% from the date of publication of the award and till the payment is made. Send a copy of this award to the appropriate government for notification as required under section 17 of the ID act 1947.

The reference is accordingly answered.

Dictated & Corrected by me.

PRANITA MOHANTY, Presiding Officer

नई दिल्ली, 2 दिसम्बर, 2022

का.आ. 1265.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मेसर्स ओम कंस्ट्रक्शन; मेसर्स भारत पेट्रोलियम कॉर्पोरेशन लिमिटेड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारी के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय-1, मुंबई के पंचाट (संदर्भ सं. 1/01 of 2019) को प्रकाशित करती है।

[सं. एल-30011/17/2018-IR(M)]

आशीष कुमार यादव, अवर सचिव

New Delhi, the 2nd December, 2022

S.O. 1265.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. (1/01 of 2019) of the Central Government Industrial Tribunal/Labour Court-1, Mumbai now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s Om Construction; M/s Bharat Petroleum Corporation Ltd. and their Workmen.

[No. L-30011/17/2018-IR(M)]

ASHISH KUMAR YADAV, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO.1 MUMBAI

Present: Smt. Pranita Mohanty Presiding Officer

REFERENCE NO.CGIT-1/01 OF 2019

Parties: Employers in relation to the management of

1. M/s. Om Constructin
2. M/s.Bharat Petroleum Corporation Ltd

And

Their workmen

Appearances:

For the first party Management No.1 : Absent.

For the first party Management No.2 : Absent.
For the second party workman : Absent.
State : Maharashtra

Mumbai, dated the 08th day of September, 2022

AWARD

1. The present reference has been made by the Central Government by its order dated 30.11.2018 passed in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947. The terms of reference as per the schedule to the said order are as under:

“Whether the demand of Petroleum Employees Union, Mumbai for reinstatement of 9i) Shri Bechan Prasad Gaud, (ii) Shri Hiralal Chaurasiya and (iii) Shri Gunaji Sonawane, all Handling Workers at BPCL LPG Bottling Plant Mumbai, by M/s. Om Construction Contractor under the management of BPCL Mumbai Refinery, Mahul, or for suitable compensation is just and proper? If so, what relief the workmen concerned are entitled to? ”

- (1) By the order dated 25.1.2019, notices were directed to be issued to the parties. Accordingly, notices were issued to the parties by Registered Post AD.
- (2) Notices issued to the first party / Management No.1 and First Party Management No.2 were duly served and acknowledgement cards were received back. Registered envelope and acknowledgement card has not been received back for the notice sent to the second party / Union.
- (3) Perusal of the record reveals that learned counsel for the first party management no.2 has appeared before this Tribunal only on three occasions i.e on 07.6.2019, 30.01.2020 and on 01.4.2022. The second party union did not appeared before this Tribunal to file the statement of claim inspite of repeated adjournments for the last 3 years.
- (4) The case is taken up today. None is present for the first party management and none is present for the second party union.
- (5) No Statement of Claim has been filed on behalf of the second party / Union.
- (6) From the above narration of facts, it is evident that despite repeated dates having been fixed, none has appeared on behalf of the first party management and second party/Union. No Statement of Claim has been filed on behalf of the second party / Union. There is thus, no pleading or evidence filed on behalf of the second party / Union in support of its claim as contained in the Reference made to this Tribunal. No relief, therefore, can be granted to the second party / Union.
- (7) Reference is consequently answered by stating that no relief can be granted to the second party / Union.
- (8) Award is passed accordingly.

PRANITA MOHANTY, Presiding Officer